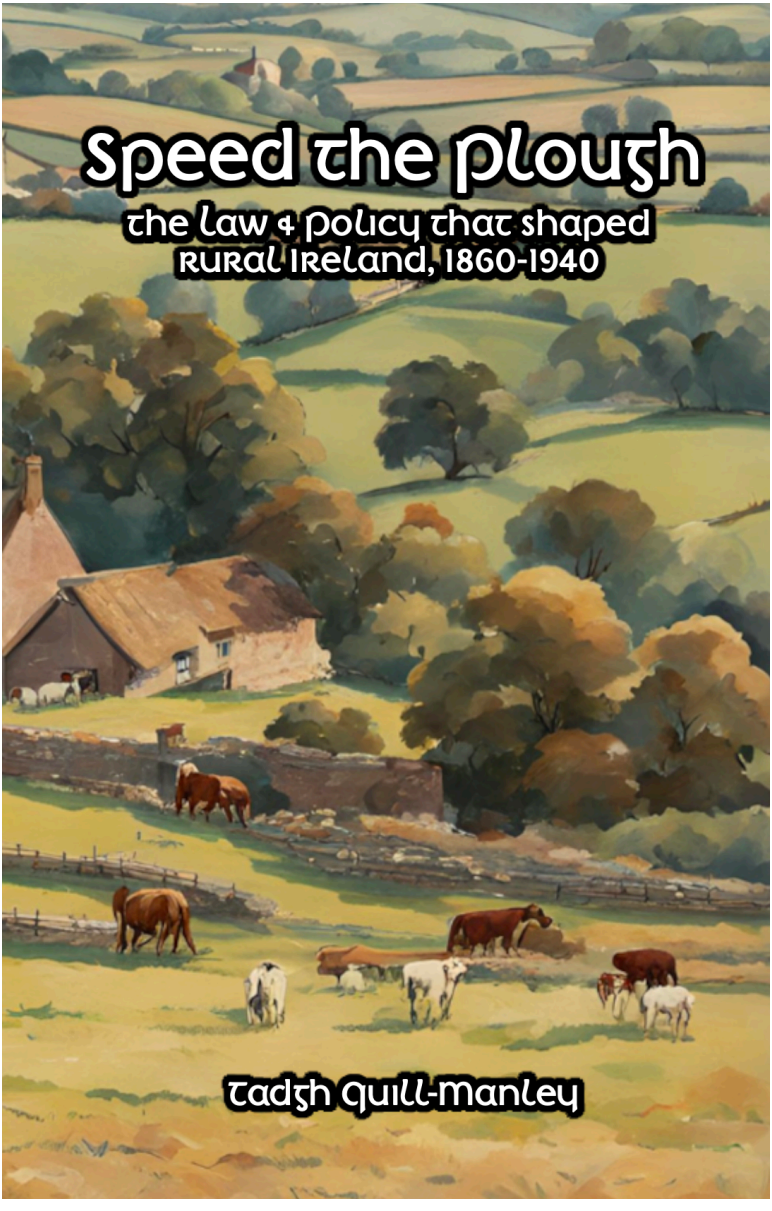

Speed the Plough
the law & policy that shaped
rural Ireland, 1860-1940
Tadgh Quill-Manley

SPEED THE PLOUGH

The Law & Policy that Shaped Rural Ireland, 1860-1940

TADGH QUILL-MANLEY

Tadgh Ó Cuill-Maonlaí

FIRST PUBLISHED 2026
© 2026 TADGH QUILL-MANLEY

ISBN: 9798241226327

This is a non-commercial project by a college student.

AGRICULTURAL MEMORY IN EUROPE

SPEED THE PLOUGH

The Law & Policy that Shaped Rural Ireland, 1860-1940

TADGH QUILL-MANLEY

Tadgh Ó Cuill-Maonlaí

Table of Contents

INTRODUCTION
2

DEVELOPMENT OF LAND LAW & POLICY IN IRELAND
8

RURAL HOUSING LEGISLATION & POLICY
110

LAW & POLICY IN RURAL-RELATED COMMERCE & INDUSTRY
144

LAW & POLICY IN ANIMAL TRADE, HEALTH & WELFARE
220

CONCLUSION
236

POETRY - 'THE STARRY COW'
240

PHOTOS OF KEY FIGURES
241

BIBLIOGRAPHY
245

INTRODUCTION

Between 1860 and 1940, rural Ireland underwent a period of profound transformation, driven by sweeping legal, economic, and political changes. The decline of the landlord system, the redistribution of land, and the emergence of a domestic governing, Irish state all had lasting consequences for rural communities. Legislative reforms, economic shifts, and political organisation reshaped the relationship between landowners and tenants, influencing patterns of land ownership that remain relevant today.

To fully understand the legal and economic changes of this period, it is important to consider the historical context in which they emerged. The Great Famine of 1845-1852 had deepened social and economic inequalities, reinforcing the dominance of the Anglo-Irish landlord class. By the mid-19th century, vast estates remained in the hands of absentee landlords, while the majority of the rural population consisted of tenant farmers and labourers with little security. This system fuelled widespread discontent, leading to organised demands for change. Economic stagnation, continued emigration, and political efforts for self-governance further heightened tensions. By the 1860s, calls for land reform had intensified, setting the stage for legislative action and social movements that would transform the rural landscape.

A series of Land Acts played a central role in reshaping land tenure in Ireland. The first major legislative intervention was the Irish Land Act of 1870, introduced by Prime Minister William Gladstone. This provided tenants with some helpful protections, such as compensation for improvements and limited security of tenure, but it did not fundamentally challenge landlord dominance. The Land Act of 1881 brought a more significant shift, introducing the "Three Fs"—fair rent, free sale, and fixity of tenure. This measure responded to pressure from the Land League, led by Michael Davitt and Charles Stewart Parnell. While it improved tenant rights, it did not fully satisfy demands for outright land ownership.

Further reforms in the early 20th century, particularly the Land Acts of 1903 and 1909, facilitated the transfer of land from landlords to tenants through government-backed purchase schemes. The Wyndham Land Act of 1903 was especially significant, offering landlords generous financial incentives to sell their holdings. By the early 20th century, most of the tenant farmers had become landowners, fundamentally reshaping the economic and social structure of rural Ireland. Housing reforms also played a key role in improving rural living conditions. The Labourers Acts of the late 19th and early 20th centuries led to the construction of thousands of cottages for agricultural workers, contributing to broader social improvements.

These legal changes were not achieved through legislation alone, as they were also driven by sustained political agitation. The Land War of the late 19th century saw tenant farmers engage in rent strikes, boycotts, and other forms of resistance under the leadership of the Land League. This struggle for land reform was closely linked with the broader movement for Irish self-governance. The Irish Parliamentary Party (IPP), which campaigned for Home Rule, also championed land reform as a way to address the grievances of the rural population.

By the early 20th century, Ireland's political landscape was shifting. The Easter Rising of 1916 and the War of Independence (1919-1921) marked a turning point, not just in the struggle for national sovereignty but also in efforts to achieve economic and social justice. The establishment of the Irish Free State in 1922 continued the work of land reform, ensuring that land redistribution remained a priority in building a fairer society.

Although land reform changed ownership patterns, economic prosperity did not follow immediately. Many new landowners faced difficulties such as fluctuating agricultural prices, limited access to credit, and ongoing rural depopulation due to emigration. The Irish Free State pursued policies of agricultural self-sufficiency in the 1920s and 1930s, with mixed results. Under Éamon de Valera's government, farmers benefited from tariff protections and subsidies, but the economic war with mainland Britain (1932-1938) created new challenges by restricting

exports. Despite these difficulties, by the 1940s, rural Ireland had reached a level of stability, with most farmers owning their land, and enjoying greater security than previous generations.

The revolutionary period from 1916 to 1923 in particular had a lasting impact on rural Ireland. The new state prioritised land redistribution, ensuring that nearly all farmland was in the hands of those who worked it. The decline of landlordism contributed to a more equitable society in rural areas, though economic inequalities remained. Numerous infrastructure improvements, such as electrification and road development, also helped in modernising rural communities.

The late 19th and early 20th centuries also saw significant advancements in agricultural science, which played a crucial role in modernising Irish farming practices. Agricultural education expanded during this period, with institutions such as the Albert Agricultural College and the Munster Agricultural Society's Munster Dairy School & Agricultural Institute providing training in more efficient farming techniques. The Department of Agriculture and Technical Instruction (DATI), established in 1899, promoted scientific farming methods, offering guidance on crop rotation, soil improvement, and livestock breeding.

Agricultural co-operative movements also gained traction, transforming rural commerce and improving economic conditions for Irish farmers. The Irish Agricultural Organisation Society (IAOS), founded by Sir Horace Plunkett in 1894, encouraged the establishment of numerous co-operative creameries, rural credit societies, and purchasing groups. These co-operatives helped small farmers access markets, improve production standards, and achieve better prices for their goods, thereby strengthening the rural economy.

The growth of agricultural co-operatives and scientific farming was complemented by pervasive and extensive improvements in infrastructure, including better transport networks and market access for produce. Railways expanded throughout the countryside, enabling farmers to sell their produce in urban centres, and even export goods more efficiently. These developments fostered greater commercialisation of agriculture,

gradually shifting the sector away from subsistence farming towards a more market-oriented approach.

Despite these advancements, rural Ireland still faced challenges such as price volatility and limited investment in mechanisation. The economic difficulties of the 1930s, exacerbated by the economic war with Britain, created hardships for farmers. Nevertheless, the long-term impact of agricultural education, co-operatives, and infrastructure improvements had all laid the groundwork for further developments in Irish agriculture in the decades to come.

The legal and economic transformations of 1860-1940 had a profound effect on Irish society, shaping the rural Ireland we recognise today. The end of the landlord system, and the rise of smaller-scale farming created a more stable agricultural economy, but also reinforced a culture of conservatism and self-sufficiency that persisted throughout the 20th century. The shift from tenancy to ownership deepened the Irish people's connection to land, making it a defining aspect of national identity. At the same time, economic hardship continued to drive emigration, as many rural Irish sought better opportunities abroad.

The political legacy of land reform and self-governance struggles influenced the direction of post-independence Ireland. Each of the Free State's main parties, such as Fianna Fáil, the Farmers' Party, Labour, and Cumann na nGaedheal (CnaG and the Farmers' Party would merge with the National Centre Party to form Fine Gael in 1933), had prioritised rural and agricultural policies, and emerged from the movements of this era. The period from 1860 to 1940 was one of remarkable transformation, bringing about the dismantling of landlordism and the emergence of a new class of independent farmers. These changes shaped modern Ireland, influencing everything from economic policies to cultural attitudes towards land and national identity.

This book does not aim to present an overly complex legal or economic analysis but rather to offer a clear and engaging account of the transformation of rural Ireland during this

period. The journey of land and economic reform is not simply a story of laws and policies; it is one of constant changes and adaptations. By tracing the major developments in land ownership, agricultural commerce, and political organisation, this book seeks to illuminate how legal and economic changes shaped the everyday lives of rural communities, and the country as a whole.

Understanding this era is crucial to appreciating the historical forces that continue to shape rural Ireland today. The impact of these decades, both the successes and the challenges, remains evident in the Irish countryside, in its communities, and in ongoing discussions about matters such as land ownership, economic development, and rural sustainability.

SPEED THE PLOUGH

A 1940s farm scene.
(Photo source: RTÉ, 2022)

DEVELOPMENT OF LAND LAW & POLICY IN IRELAND

The framework and theoretical foundation of land law in Ireland originates from English common law and the feudal landholding system that emerged after the Norman invasion, ultimately replacing the old Gaelic Brehon laws. A considerable amount of information has already been documented on the history of land law in Ireland. Irish land law possesses an intricate, mixed, and fragmented background influenced by the intricate British–Irish connection.[1]

Thomas de Moleyns, Esq., observed in the Fifth Edition of '*The Landowner's and Agent's Practical Guide*' that while a form of communal land ownership remained a defining feature of Gaelic Irish tribes, it ultimately, in his view, stifled economic progress. Chiefs were elected, and land was redistributed arbitrarily at unpredictable intervals, leaving little incentive for agricultural development. The land could not be sold outside the sept, ensuring that the people, unable to relocate, had no motivation to improve it. Tillage could not flourish under a system designed for pastoralism, where livestock could be moved easily to new grazing grounds. Additionally, legitimate and illegitimate heirs were treated equally, wives had no dower rights, and neither leases nor tenant rights existed.

De Moleyns noted a striking resemblance between Celtic land tenure and that of the Māori in New Zealand, particularly regarding tribal and chieftain rights. This system fostered a deep attachment to the land but simultaneously discouraged enterprise and economic ambition. When the English established control over Ireland, they did not implement their laws uniformly. Instead, their approach mirrored later English settlements in India and Australia rather than the Roman

---

[1] *Mary Dobbs, Sarah E Hamill and Robin Hickey, 'Land Law and Land Use' (2023) 34 Irish Studies in International Affairs 149*

conquest of England. According to Sir John Davies, King John designated only twelve counties in Leinster and Munster—Dublin, Meath, Uriel, Kildare, Carlow, Kilkenny, Wexford, Waterford, Cork, Kerry, Limerick, and Tipperary—while the rest of Ireland remained outside English legal jurisdiction for nearly 300 years. In these regions, native Irish laws continued to govern, as the English legal system could not operate where the king's writ did not extend and where no sheriffs or legal officials existed.

Initially, the native 'Gaelic Irish' were largely denied the English legal protections, which were granted only to five influential septs —the O'Briens of Thomond, the O'Molloys of Meath, the O'Neills of Ulster, the O'Connors of Connacht, and the MacMurroughs of Leinster. Over time, English rights were extended to additional families, but Irish customs persisted in many areas and were not fully abolished until the reign of James I. De Moleyns argued that these customs severely hindered Ireland's progress. Without fixed property rights that allowed land to be inherited by direct descendants, people had little reason to improve their holdings, construct lasting homes, or invest in education. Their focus primarily remained on immediate survival, rather than long-term advancement. The practice of 'tanistry,' he contended, contributed to the widespread stagnation and hardship across Irish territories.

Irish society, he noted, remained largely nomadic, with wealth measured in terms of livestock, rather than cultivated land. Provincial rulers imposed heavy tributes on their subjects, further discouraging economic stability. For instance, the King of Uladh, who ruled over what is now Antrim and Down, was entitled to enormous quantities of cattle, pigs, and sheep, as well as hundreds of multicoloured cloaks. This feudal-like system of wealth extraction, De Moleyns concluded, further limited economic progress and kept the Irish people in a state of dependence and poverty.

De Moleyns described how the introduction of English land tenures and customs in Ireland subsequently followed a natural progression, in which a more advanced civilisation gradually displaced a less developed one. In three of Ireland's four

provinces, this transformation occurred gradually. However, in the north, during the reign of James I, the process was abrupt. A large influx of Scottish and English settlers—closely related in ancestry but vastly different in customs from the native Irish Celts—was brought in, while many of the indigenous population were forcibly relocated to the less valuable lands in neighbouring areas. During this period, the legal systems of Ireland and England were aligned, and the native Irish landholding traditions were permanently abolished. From that point forward, it became a fundamental legal principle that all land in Ireland was held under the Crown as the ultimate authority.[2]

In his analysis presented at the Harvard Celtic Colloquium, Olivier Coquelin argues that James Connolly (the Irish republican revolutionary) consistently grounded his socialist vision in what he regarded as Ireland's indigenous tradition of communal ownership, particularly as reflected in the ancient Brehon laws. According to Coquelin, Connolly saw socialism not as a foreign import, but as the modern expression of values already embedded in Ireland's pre-colonial social order. This connection was first articulated in theoretical terms in Connolly's 1897 pamphlet '*Erin's Hope: The End and the Means*,' where he maintained that Ireland had once operated under a Celtic system of clan-based landholding. This system, rooted in collective benefit and democratic principles, functioned in many respects as a native form of socialism—an idea that James Connolly used to challenge the prevailing economic orthodoxy of his own time.

Coquelin also highlights how Connolly traced the destruction of this communal structure to the seventeenth century, when the English state imposed a feudal land system alien to Irish tradition. In Connolly's view, this shift was not merely political but deeply economic: national conquest was made complete only through the erosion of Ireland's economic autonomy. The conversion of tribal lands into private estates required the dismantling of the clan system, with Irish chieftains being compelled to surrender their elected, symbolic authority in

---

[2] *Thomas de Moleyns, The Landowner's and Agent's Practical Guide (5th edn., Ponsonby 1872).*

exchange for English noble titles. Coquelin notes that Connolly interpreted this transition as a fundamental rupture, culminating in the fall of the Kilkenny Confederation in 1649, which effectively marked the end of communal landholding in Ireland.

For Connolly, as Coquelin argues, the path to national liberation lay not only in achieving political independence but in recovering this altogether lost socio-economic foundation. The establishment of a 'socialist republic' would, in his view, be essential to free Ireland from the economic subjugation imposed by imperial capitalism. Connolly envisioned a system in which agriculture would be democratically managed to serve domestic needs first, with foreign trade conducted only on terms that benefitted the Irish people.

Importantly, Coquelin underscores Connolly's belief that the working class—not the landed gentry or capitalist bourgeoisie—were the legitimate inheritors of this egalitarian Celtic tradition. Connolly urged Irish workers to organise autonomously, recognising that even in a self-governing Ireland, propertied elites would remain vested in preserving the existing class hierarchy. In this framework, Coquelin suggests, Connolly's socialism was inseparable from a romanticised restoration of Ireland's pre-colonial order. His Marxism was therefore non-dogmatic and idiosyncratically Irish, and inflected with a reactionary longing for a mythic past, even as it pressed forward a radically progressive political project.[3]

Before it became the norm in Ireland, the feudal system had embodied the power dynamics between monarchs and lords, forming a cornerstone of England's political and economic framework. However, in medieval Ireland, it never fully took root, existing only in a weakened form alongside the Gaelic Brehon law system, which even influenced Anglo-Norman territories. Only later would the Brehon system be entirely supplanted. This structure favoured lords over the king, much like in England, where feudal reforms were tied to ongoing

---

[3] Olivier Coquelin, 'A Reactionary Dimension in Progressive Revolutionary Theories? The Case of James Connolly's Socialism Founded on the ReConversion of Ireland to the Celtic System of Common Ownership' (2008) 28 Proceedings of the Harvard Celtic Colloquium 14

power struggles. Feudalism operated as a hierarchy in which each lord owed duties to a superior and, in turn, had obligations from subtenants. The king, at the pinnacle, was exempt from such duties. Sub-infeudation, the process of granting lower-tier tenancies, had created additional feudal layers, sometimes diminishing the value of services owed to higher lords or the king. A lord might lease land at minimal rent, and if his interest reverted to a superior through wardship or escheat, only this lesser right would transfer—potentially reducing the land's overall worth.

In terms of land transfer, substitution functioned similarly to modern assignment, allowing a lord to transfer land to another, who then held it under the same terms from a superior lord or the king. However, higher lords or the monarch could object to the replacement of a vassal, especially if multiple subdivisions complicated the hierarchy. Repeated transfers made it increasingly difficult for the crown to enforce feudal dues and obligations. Magna Carta, issued in the early 13th century, sought to restrict land transfers that might undermine a lord's ability to collect services. It also forbade grants to corporations or religious institutions (mortmain), as these legal entities did not marry or die, thereby depriving lords of key feudal revenues tied to inheritance and personal status changes.

Driven by feudal lords' demands, the statute *Quia Emptores* (named after its preamble, "Whereas buyers...") introduced lasting reforms to feudal tenure. It banned subinfeudation—the creation of new subordinate grants—while granting free tenants the right to transfer land by substitution without their lord's consent. When land was transferred in part, associated obligations and services were divided accordingly. This legislation halted the expansion of the feudal hierarchy, which gradually shrank as lands escheated or were forfeited up the chain. *Quia Emptores* also cemented the principle that land was freely transferable, a key development in the market economy. Since its enactment, legal attempts to impose absolute or near-absolute restrictions on land transfers have been deemed void. The statute applied only to grants in fee simple, excluding fees tail and similar estates. It also did not explicitly mention the Crown and was interpreted as not binding it. However, tenants-

in-chief gained the right to transfer land freely in the early 14th century, subject to a reasonable fine paid to the Crown. In Ireland, the Crown's exemption from *Quia Emptores* had major consequences. This allowed widespread subinfeudation, particularly following the 17th-century confiscation of rebel lords' lands.

By the mid-17th century, the Crown's authority had diminished following its conflict with Parliament during the Civil War. In response, the Tenures Abolition Act (Ireland) 1662, enacted by the Restoration Parliament, eliminated most feudal tenures, including knight service, homage, and socage held directly from the King. Existing tenures were converted into free and common socage, effectively establishing freehold ownership. Feudal obligations such as wardship, marriage fines, alienation fees, and aids were abolished. Any remaining monetary duties were converted into fixed financial payments, marking the final shift away from feudal landholding structures.[4]

The renowned National Land League leader and MP, Michael Davitt, in his book '*The Fall of Feudalism in Ireland*' (1904), argued that land had historically been more essential to life and industry in Ireland than in most other European countries due to its somewhat unique economic circumstances. He noted that, in earlier generations, before the extension of the franchise and other reforms, the Irish people had been unable to effectively resist unjust laws. The Irish landlord-controlled Parliament, he explained, had imposed restrictions that deliberately destroyed Ireland's textile and other industries through English legislation. He pointed out that the eradication of the Irish woollen trade in the 18th century had only deepened the country's reliance on land for economic survival. Davitt described how England had created a land system that placed control of the main source of employment into the hands of a ruling class that was both selfish and anti-Irish. This, he argued, intensified the struggle for existence, as landlords held absolute authority over the livelihoods of the Irish peasantry. He identified this dynamic as the origin of Ireland's land war, a prolonged conflict between the Irish tenantry and a landowning class that, he stated, was not

[4] *'Feudal Layers of Ownership – Irish Legal Blog' (Legalblog.ie)*

only composed of landlords but also functioned as England's garrison in Ireland. According to Davitt, this class, backed by the full force of the British Empire, was able to use its influence over Parliament to secure coercive laws that protected its interests and suppressed resistance.

He contended that these landlords had seized the spoils of conquest—land, government, law, and authority—and that they were further supported by deep-rooted anti-Celtic sentiment in Britain. As a result, he wrote, the struggle for the Irish land was waged against both internal oppression and external imperial power. Davitt described how tenants, cottiers, and labourers, whenever they sought to assert their basic rights—whether through legal or illegal means—were invariably confronted by England's soldiers, judges, and laws. He emphasised that the Irish people had no ownership of their land, homes, or government and were treated as intruders in their own country. He was particularly critical of the landlords' ability to evict entire families, often as a means of enforcing their will or recovering rent, regardless of the consequences for those affected.

Davitt passionately condemned the widespread eviction of Irish families, describing it as a key feature of agrarian conflict, from the Tories to the Land League movement. He maintained that such evictions, even in his own time, were a direct challenge to human dignity and a stark representation of property rights being placed above the right to live and work the land. He viewed the feudal land system as one of social tyranny, marked by constant confiscation, and observed that landlords frequently cleared tenants from land to make way for more profitable cattle-raising or dispossessed those who had improved their farms but had fallen into arrears. In Davitt's analysis, a legal system that deprived families of the right to live—especially in a country where land labour was the principal means of survival—could only provoke resentment, protest, and resistance. He saw the injustice of the system as a fundamental cause of Ireland's industrial, social, and national struggles, driving nearly every effort to overthrow it.[5]

---

[5] *Michael Davitt, The Fall of Feudalism in Ireland (Harper & Brothers Publishers 1904)*

SPEED THE PLOUGH

In 18th and 19th-century Europe, all individuals subsisted 'off the land' in various capacities. In Ireland, nearly all individuals existed 'on the land' in addition.[6] As Terence Dooley notes in an issue of 'Irish Historical Studies,' the land issue from the mid-Victorian era, to approximately the year 1903, is significant in the study of Irish history. This is not at all unexpected, considering that, although it was significantly important in its own context, it could not be separated from the broader political dynamics of the day that caused the land and national issues to converge.[7] As per the '*Oxford Reference*,' the British government passed these laws in a concerted effort to calm the rising tide of peasant separatism that was challenging the authority of the British government in Ireland.[8] For much of the 19th century, as Myles Dungan points out, rural Ireland was riddled with class distinctions between the Anglo-Irish aristocracy and farmers (be they subsistence, or middle-class commercial operators), and rural labourers.[9]

As discussed in '*An Economic History of the British Isles*,' throughout this period, English statesmen remained largely indifferent. In 1845, the Devon Commission exposed the deep flaws in the Irish land system, and proposed practical solutions. However, any attempts at reform were thwarted by the dominant belief in 'laissez-faire' economics. Private property was considered inviolable, and classical economic principles were cited to justify inaction. Even when economists themselves highlighted the futility of upholding the illusion of free contract in the absence of genuine choice, their warnings went unheeded. In Ireland, land functioned as a virtual monopoly, and agreements between landlords and tenants resembled, as depicted by Nassau Senior,

---

[6] RTÉ Culture, 'Myles Dungan on the Struggle That Shaped Irish History' RTE.ie (25 May 2024)

[7] Terence Dooley, 'Land and Politics in Independent Ireland, 1923–48: The Case for Reappraisal' (2004) 34 Irish Historical Studies 175.

[8] 'Land Acts' (Oxford Reference 2009)

[9] Ronan McGreevy, 'Myles Dungan: "Rural Ireland Was Riddled with Class Distinctions"' (The Irish Times29 June 2024).

"the struggle to buy bread in a besieged town or to buy water in an African caravan." Yet, the ruling classes remained unmoved by such arguments.[10]

The Landlord and Tenant Law Amendment Act, as enacted on 28 August 1860, also referred to as 'Deasy's Act,' was named after Richard Deasy, the Attorney-General for Ireland at that time. It was notable for its incorporation of the prevailing philosophy of 'free commerce' into landlord and tenant relationships, which was antithetical to prior notions of landholding. The legislation, despite its outward appearances, benefited the landlord by establishing a contractual relationship between the landlord and the tenant; nonetheless, it is important to note that Irish lawyers significantly varied on the exact meaning of the Act. The Act undermined the concept of tenant rights and streamlined the eviction process for landlords. Historians have noted that landlord-tenant legislation following Deasy's Act forsook its free market underpinnings to embrace statutory law instead.[11]

It reinforced the notion that the connection between landlord and tenant was based on an express or implied contract, rather than the mere fact of the tenant's occupancy. According to Deasy, this codifying measure, unsurprisingly, presented no novel elements. Edward Cardwell, the Irish secretary, asserted that reinforcing the concept would constitute a genuine resolution of the tenant law of Ireland, in conjunction with the Tenure and Improvement of Land (Ireland) Act, also referred to as Cardwell's Act—a lenient statute wherein he stated that they ought not to infringe upon the landlord's authority, because, he believed, they must preserve their right to contest improvements, and shouldn't transgress the law of property.[12] It may also be worth mentioning that 'Cardwell's Act' of 1860 stipulated that a tenant, with the landlord's approval, might implement improvements on the land and get recompense in the

---

[10] Arthur Birnie, An Economic History of the British Isles (Methuen and Co Ltd 1935)

11 PR Newman, Companion to Irish History, 1603-1921 (Facts on File, Oxford 1991)

[12] ED Steele, Irish Land and British Politics: Tenant-Right and Nationality 1865-1870 (Cambridge University Press 1974)

form of an annuity. However, the statute was encumbered by numerous limitations, significantly restricting its efficacy.[13]

The 1860 Act was an extensive statute of one hundred and five provisions, and was neatly categorised into three groups by Goldwin Smith in his 1905 text, *'Irish History and the Irish Question.'* The first pertains to the Contract of Tenancy, the second section addresses Surrenders and Assignments, and the third concerns the Methods of Procedure. Section three establishes that the landlord-tenant relationship will be considered based on the stated or inferred contract between the parties. The actions of the parties may suggest the presence of a tenancy agreement, with the payment of rent serving as proof, albeit not conclusive evidence, of such an agreement. Section four mandates that every lease or contract pertaining to lands, which aims to establish a landlord-tenant relationship for any freehold estate or interest, or for a specified duration other than year-to-year or any shorter term, must be formalised by a deed executed or a written note signed by the landlord or their agent. A renter may remove their fixtures within two months following the termination due to an unpredictable event, unless otherwise agreed. Two covenants are inherent in the tenancy contract for each party involved. The landlord, by his lease, signifies an agreement with himself and his successors that he possesses a valid title to establish it, and that the tenant shall have calm and peaceful possession of the premises.

The tenant consents to remit rent, taxes, and charges owed by the tenant, and to maintain the premises in excellent and sound repair and condition; furthermore, to relinquish peaceful possession of the leased premises in excellent and sound repair and condition upon the lease's termination, subject to any lawful rights of removal or compensation for improvements made, as well as any rights of surrender in the event of the destruction of the contract's subject matter. Surrenders and Assignments may be executed (i) by deed, (ii) by a written note, or (iii) by operation of law. Sections forty-five through one hundred and two pertain to actions for rent recovery and ejectment proceedings. The paramount provision stipulates that a tenant who has received a

[13] *James Quinn, 'Edward Cardwell' (Www.dib.ie2009)*

ruling against the person in an ejectment case may be reinstated to their holding by petitioning the court within six months, provided they pay the rent along with any arrears and fees. The primary features of Deasy's Act were as discussed. Aside from integrating and regularising the existing legislation, it accomplished very little.[14]

In summary, the 1860 Act operated under the premise that the land is solely owned by the landlord, and the tenant's interest is merely that of an individual who has consented to compensate for the use of the land for a specified duration. Nevertheless, the premises of Irish land law would shortly undergo significant transformation. The Land Acts enacted between 1870 and 1903 facilitated the transfer of the majority of land in Ireland from landlords to the peasant class. This was, in essence, an agricultural revolution. Alongside other significant reasons, it contributed to the transformation of British Liberal and Conservative politics in the 1880s.[15]

It is important to note also that the enactment of Deasy's Act resulted in a swift rise in tenant evictions during an era of grazier-led land amalgamation. The currently widespread, professional court network in Ireland was pivotal to this process. The Dublin Castle administration was able to prosecute individuals suspected of agrarian rebellion with ease, while landlords, supported by organisations like the Property Defence Association, could move against tenants burdened by debt, leading to thousands of 'sheriffs' sales' of the tenants' possessions, typically livestock.[16]

Later, prompted by ongoing unrest due to the deplorable economic and social conditions of the period, and potentially influenced by the critiques of authors and economists like J. S. Mill, the English government enacted the Land Act of 1870. This measure acknowledged the 'Ulster' practice, and others that

---

[14] Goldwin Smith, Irish History and the Irish Question (McClure, Phillips & Co 1905)

[15] Paul Bew, Land and the National Question in Ireland, 1858-82 (Humanities Press 1979)

[16] Thomas Murray, Contesting Economic and Social Rights in Ireland: Constitution, State, and Society, 1848-2016 (Cambridge University Press 2016)

were fundamentally similar. The Act primarily pertained to annual tenancies valued at up to £100, although it also encompassed leaseholds with a duration of less than thirty-one years. The annual tenant subjected to arbitrary removal was entitled to compensation for disturbance, contingent upon the payment of rents and the absence of unauthorised subletting of the premises. Furthermore, upon departure, the renter was obligated to compensate for any enhancements he had implemented. Furthermore, tenants in estates entering bankruptcy courts were granted purchasing options for their assets through the so-called "Bright clauses."

As Jennings notes in his 1915 work, '*The Irish National Land League*,' this Act represented an enhancement over previous conditions; yet, unhappiness persisted. These causes were explicitly identified as follows:

1. The Act conferred no consistent jurisdiction over rents, prompting landlords to increase them while tenants acquiesced to avoid eviction.
2. Escalating rents led tenants to default, thereby depriving them of the advantages of the Disturbance clause.
3. Capricious evictions were only partially curtailed.
4. The larger tenants expressed dissatisfaction with the level of protection provided for their enhancements.
5. The larger farmers were compelled to exempt themselves from the Act, and adhere to exceedingly burdensome and discouraging conditions.
6. Leases were frequently imposed on renters above the £50 threshold to conserve compensation for disruption.
7. The tenant was unable to abandon the land or relinquish the fruits of his labour and investment. Furthermore, he lacked implicit confidence that the value of his stake in the holding would be safeguarded upon his departure.
8. The resulting litigation, distrust, and instability undermined the tenant's confidence in the Act.
9. Ultimately, the ambiguous nature of the Ulster Tenant Right, along with the promotion of divergent practices and customs, exacerbated litigation, discontent, and animosity.

The reality of these arguments is evidenced by the issuance of only 1,808 compensation grants from 6,136 applicants over the period of 1871-1880. The aggregate awards amounted to merely £147,304, or £77 per capita, rendering the evicted tenant incapable of sustaining himself on the compensation funds, as he relied solely on the farm for income, and had only one additional source—interest received from bank deposits.[17]

In 1876, the earliest official account of land ownership in the vicinity since the 'Domesday Book' was issued. In Ireland, just a sum of 3,745 persons (0.07% of the population) had estates totalling over 1,000 acres each, which constituted 78% of all farmland.[18]

The Act of 1870 would then be followed by the Land Law (Ireland) Act 1881. In the second year of his first prime ministry, Gladstone made the now-famous claim that his "mission" was "to pacify Ireland." This declaration inspired the initial, mostly fruitless act. After two years of heated legislative and agricultural protest, which moulded the measure and the discussion around it, the second act arrived, which was, by any objective assessment, more solid and sophisticated.[19]

The legal academic George McDermott has argued that it was crucial to remember that the added value of the land stemmed primarily from the tenant's improvements, rather than from the land's inherent qualities alone. While these natural capabilities were activated by the tenant's investment and should be considered when determining a fair rent, their role had already been fully acknowledged in precedent—particularly in the landmark case *Adams v. Dunseath*.[20] In practice, however, sub-commissions had tended to overvalue these inherent qualities. He further pointed out that the Land Act of 1870 restricted

---

[17] *Jennings, 'The Irish National Land League' (University of Illinois 1915)*

[18] *Eoin McLaughlin, 'Financing Ireland's Social Revolution through Land Bonds' (Irish Independent8 August 2023)*

[19] *Donald Jordan, 'Land Acts of 1870 and 1881' (encyclopedia.com 2019)*

[20] *(Irish Law Reports, 1882)*

tenants to claiming compensation for improvements only within a twenty-year period prior to filing such a claim. As this provision was carried into the Land Act of 1881, any improvements made more than twenty years prior effectively became the property of the landlord. This arrangement, McDermott contended, transferred the majority of the value generated by improvements to the landlord and served to maintain rents at or near the "rack rent"—the highest potential market rent.[21]

Some of the contents of the 1881 Land Act originated in recommendations made by a government-appointed commission, chaired by Frederick Ponsonby, 6th Earl of Bessborough (other members included the politician-landlord Arthur Macmorrough Kavanagh, and Charles Owen O'Conor, both of whom dissented from the majority finding, but fellow MPs William Shaw and Baron Richard Dowse found in favour). This commission proposed the implementation of the three 'Fs' and the provision of more attractive loan rates for agricultural acquisitions. The study described the issues of the Irish land system as an improper utilisation of English land law to Ireland; the relationship between landlords and tenants differed between England and Ireland, necessitating corresponding land laws. The Bessborough Commission is thus associated with the most significant change of land laws in nineteenth-century Ireland, which established the notion of dual ownership between landlords and tenants. Sympathetic to the problems at hand, Bessborough was recognised as a kind and magnanimous landlord on his 24,000-acre estate in Kilkenny. He sought to enhance the agricultural methods of his tenants, and served as a committee member of the RDS.[22]

As Falconer notes in a 1924 edition of the 'Journal of Farm Economics,' this Act indeed sought to pacify the Land League's campaign for "fair rent," being one of their primary three 'F's'. A "fair rent," according to the Fry Commission's definition,

---

[21] George Truman Kercheval, 'Fair Play for the Indian' (1891) 152 The North American Review 250

[22] Adam Pole, 'Frederick Ponsonby' (Www.dib.ie2009)

was the amount that, year after year, landlords might fairly rent out their property for, considering all the relevant factors related to the farm and the entire region.[23]

Robert Stedall, in '*The Roots of Ireland's Troubles*,' described how, in April 1881, the British government introduced a bill aimed at promoting peasant landownership, with Prime Minister William Gladstone hoping it would quell the Land League's resistance. This legislation, later enacted as the aforementioned Land Law (Ireland) Act 1881, created a Land Commission tasked with lowering excessive rents and enabling tenants who were up to date with their payments to purchase their landholdings. For the first time, the concept of fair rent was acknowledged as a matter for judicial determination. Effectively, this granted tenants a form of co-ownership, as landlords retained their right to rental income while tenants were recognised as having limited property rights over the same land. Stedall regarded this as the Land League's most significant success.

Initially, the Act was met with cautious optimism among Nationalists, who saw it as a major step forward. It formalised the existing Ulster tradition of compensating tenants for improvements upon lease termination and extended this principle across Ireland. Gladstone saw this as the beginning of the end for landlordism. The Act also introduced a structured process for land purchase, offering tenants loans covering 75% of the cost, repayable over 35 years at a 5% interest rate—terms that seemed to align with Parnell's demand for the 'Three Fs' (fair rent, fixity of tenure, and free sale). Crucially, landlords were guaranteed payment for their land, ensuring their financial interests were protected.

However, closer examination revealed fundamental flaws. When the Land Commission reassessed rents under its Fair Rent provision, reductions typically ranged between 15% and 20%. While this eased tenant burdens in the short term, it also reduced incentives for them to invest in productivity improvements. Moreover, as ownership remained elusive for many, absentee landlordism persisted. Tenants, expecting to buy land at prices

[23] *JI Falconer, 'Land Reform in Ireland' (1924) 6 Journal of Farm Economics 344.*

reflecting the reduced rents, clashed with landlords who resisted such terms. Nationalists, recognising these shortcomings, ultimately rejected the Act.

Opposition stemmed from several key issues:

1. The forced partnership between landlords and tenants was deemed impractical.
2. Rent reductions were insufficient to alleviate widespread hardship.
3. Many tenants, still burdened by arrears from the Great Famine and recent poor harvests, remained at the mercy of landlords.
4. Leaseholders received no direct benefits.
5. The legislation failed to adequately account for tenant-made improvements when revising rents.
6. The Act's structure inadvertently incentivised emigration.
7. Agricultural labourers, among the most vulnerable, were entirely neglected.

Parnell took a cautious stance, discouraging tenants from seeking rent reductions through the Land Commission, but refusing to fully endorse the 'No Rent Manifesto,' which advocated withholding payments altogether. Ultimately, Nationalists concluded that the Act did not sufficiently address their fears and, despite some participation in parliamentary debates, largely boycotted discussions, refusing to legitimise it as a final resolution to Ireland's land crisis.[24]

The three 'F's' that were demanded had been reflected in the 1881 Act. Upon request from either the landlord or the tenant, land courts were given the authority to determine a judicial rent, which was then fixed for a period of fifteen years. Both the Landlord and tenant were also required to enter into a legally binding agreement about leasing, that would be set for a period of fifteen years also. There was a boost from two thirds to three quarters of the purchase price that the state was putting down on land, with repayment spread out over 35 years. The Act established a dual ownership arrangement for land, relegating

[24] *Robert Stedall, The Roots of Ireland's Troubles (Pen & Sword History 2019).*

the landlord to that of a mere rent collector. Consequently, landlords became more receptive to the of acquiring land by their tenants. However, the level of financial support that was provided was insufficient to entice tenants, as they were unable to afford it, resulting in only a few hundred parcels being acquired through this Act.[25] Tenants in Ulster resorted to the Act to modify rents as soon as it became law, because they believed it met most of their requests. Land unrest did return after the Act had been in effect for a while, but it was never seriously entertained. One such proposal was that Protestant tenants in Ulster would form a federation with Catholic tenants throughout Ireland, similar to the Tenant Right League that had been formed in the 1850s, essentially vanished.[26] Additionally, this was complemented by the Arrears of Rent (Ireland) Act 1882, which cleared off many renters' liabilities.[27]

According to Joseph Lee, the Arrears Act significantly weakened the exceptional momentum of one of the most extraordinary mass movements in Irish history. In its structure, strategy, and ideology, the Land League stood among the most sophisticated and effective rural agitation movements in 19th-century Europe. While curbing the authority of 13,000 landlords, 800 of whom controlled half the country, over 400,000 tenants (excluding 100,000 leaseholders, who remained outside the scope of the 1881 Act until 1887) did not establish true equality in the countryside, it did mitigate the most severe inequalities and fueled the broader fight to free tenants from a state of mental subjugation. The Land League had instilled in tenants the symbolic defiance of refusing to doff their caps to landlords. More than that, tenants increasingly shifted their resistance towards landlords and their agents, who had previously faced little direct physical opposition. Between 1844 and 1878, bailiffs and process servers were victims in less than one percent of agrarian assaults. By 1879, this had risen to 12 percent, and by

---

[25] *JC Beckett, The Making of Modern Ireland (Faber & Faber 1981).*

[26] *JH Whyte, The Tenant League and Irish Politics in the Eighteen Fifties (Dundaglan Press 1966).*

[27] *Wesley Forsythe and Brian McGee, 'Background to Landed Estates' (www.askaboutireland.ie)*

1880, to 20 percent. The era of deference in rural Ireland was ending with force, as nearly half of all assaults in Mayo in the final quarter of 1880 directly targeted landlords or their representatives. The most significant increase in agrarian offences recorded between 1877 and 1881 was in cases of forcible possession, where evicted tenants reclaimed their holdings in open defiance of the state, rejecting its authority as landlord and refusing to recognise the legitimacy of the law as enforced by bailiffs.[28]

Furthermore, beginning in 1882, Davitt commenced advocating for land nationalisation as the preferable solution for Ireland, rather than peasant proprietorship. This socialist-inspired concept was not accepted by some of his contemporaries and ultimately resulted in his political rejection.[29]

As Richard S. Tompson highlights in '*Islands of Law: A Legal History of the British Isles*,' a prime instance of legal alteration and interaction emerged in the domain most crucial to any landed elite: the law of succession. Once they had regained their estates, aristocratic landowners in each kingdom sought to secure their property's continuity—an effort made even more urgent by recent upheavals. The key question was how the law could guarantee that an estate would pass to a landowner's heirs. For example, he notes that English and Scots law diverged in their approaches to inheritance protection. In Scotland, a rigid system of entail ensured that estates remained within the family, preventing their division or sale. In contrast, English courts upheld restrictions against perpetuities, limiting the ability to tie up land indefinitely through entails. Meanwhile, in Ireland, landownership underwent repeated disruptions due to wartime confiscations, shifting "restoration" policies, and later, the penal laws that targeted the diminishing number of Catholic landowners. Amidst these challenges, the use of "perpetual leases"—long-term leases measured by multiple lifetimes—

---

[28] *Joseph Lee, The Modernisation of Ireland, 1848-1918 (Gill and Macmillan 2008)*

[29] *Andrew J Kettle, 'Chapter 11: William O'Brien and the "Plan of Campaign"' (The Material for Victory: The Memoirs of Andrew J. Kettle31 October 2023)*

became a common means of securing tenancy and preserving control over land.[30]

As discussed by Lucy-Ann Buckley in the '*Irish Jurist*,' the rule against perpetuities required that any future interest in property had to take effect within a legally defined period. This period consisted of the lifetime of a living person (including gestation, if relevant) plus an additional 21 years. If no specific life was tied to the interest, the limit was simply 21 years. Even the slightest chance that an interest might vest beyond this timeframe rendered it void from the outset. Courts applied this rule rigidly, regardless of how unlikely a given scenario appeared, or whether the interest had actually vested before a case was heard. Unlike some other jurisdictions that later adopted a "wait and see" approach, Ireland continued to enforce the rule strictly. Originally, the rule aimed to prevent property from being indefinitely locked away without a clear owner, ensuring that assets remained active in economic circulation. It was primarily directed at traditional settlements and trusts used by aristocratic families to preserve aristocratic wealth across generations. A key objective was to prevent deceased property owners from controlling the financial choices of their descendants—a principle known as the "dead hand" doctrine. The perpetuity period represented a compromise between the desire of landowners to maintain estates within their lineage and the broader societal need for property to remain transferable. As trade expanded after feudalism's decline, marketability became a growing worry, ultimately leading to reforms such as the Settled Land Acts of 1882-1890. These laws introduced the doctrine of overreaching, which allowed interests in land to be converted into monetary assets, making capital more accessible for economic use. Over time, judicial policy favouring free transfer of property aligned with legislative efforts, gradually shifting the legal landscape away from preserving settlors' long-term intentions.[31]

---

[30] *Richard S Tompson, Islands of Law: A Legal History of the British Isles (Peter Lang Publishing 2000)*

[31] *LA Buckley, 'Perpetuities Reform in Ireland' (2002) 37 Irish Jurist 143.*

The integration of real property law with personal property law was a prevalent objective among 19th-century reformers; yet, as Maitland noted, it represented the one consistent trend of our law for hundreds of years, indicating it was not a novel concept. An unusual sensation emerged, indicating that the method was approaching its conclusion. It became plausible to suggest without fear of derision that the doctrine of real property law should be eliminated, or that freeholds be transformed into million-year leaseholds—rendering real property law devoid of any basis—or, in a more subdued manner, that a new land statute be formulated, drawing upon the methodologies typically employed in transactions involving personal property. The abolition of land privileges was a significant demand in 19th-century politics, paralleling more commonplace legal reforms. Such measures included the Conveyancing Acts 1881-1911.[32]

It is worthwhile to pay attention to Section 19 of the Conveyancing Act 1881, which pertained to the powers associated with the estate or interest of a mortgagee, established specific rights that automatically accompanied a mortgagee's interest in a property. This provision granted mortgagees certain legal powers, including the ability to sell the mortgaged property, to insure it, to appoint a receiver, and to cut and sell timber in specific circumstances. These powers were designed to protect the mortgagee's financial interest and to provide a mechanism for recovering the debt if the borrower defaulted. The Act outlined that these rights applied unless expressly excluded or modified by the terms of the mortgage agreement. This section played a crucial role in shaping mortgage law by standardising the rights and remedies available to lenders, ensuring a more structured and predictable framework for such mortgage transactions.[33]

The aforementioned tenant reforms were promptly followed by the Purchase of Land (Ireland) Act of 1885, popularly referred to as the Ashbourne Act, which allocated £5 million to assist

---

[32] *Stuart Anderson, 'Changing the Nature of Real Property Law', The Oxford History of the Laws of England (Oxford University Press 2010)*

[33] *'Section 19 - Conveyancing Act 1881' (Irishstatutebook.ie1881)*

tenants in acquiring their holdings. The loan would be amortised over 48 years at an annual interest rate of four percent. This was considerably more economical than the proposal presented by the previous legislation, leading many tenant farmers to accept the proposal.[34]

Arthur Balfour, the Chief Secretary for Ireland, aimed to address the fundamental roots of Irish discontent, and significantly contributed to formulating a constructive unionist strategy for Ireland. He was a vehement critic of negligent or absentee landlords, seeing the Irish land system as fundamentally and inherently wicked. Convinced that Gladstone's dual ownership system rendered conflict between landlords and tenants unavoidable, he advocated for the introduction of peasant proprietorship to instill order and stability in the Irish countryside. He saw Irish nationalism as a romantic front for financial interests, and claimed that if agricultural issues were addressed, the demand for Home Rule would dissipate. To address the shortcomings of prior laws, he enacted a fresh Land Act in 1887 that provided further safeguards for tenants at risk of eviction, and revised the 1881 statute to encompass leaseholders, allowing them to have their rents determined by the land court. In 1888 and 1891, he introduced further laws allocating more monies for tenant acquisition; the 1891 act allocated the extraordinary amount of £33 million, but its complexity deterred many potential applicants. Across the peripheral territories in the West of Ireland, several properties were either too diminutive or unproductive to justify acquisition as viable farms. Balfour personally favoured widespread emigration from impoverished regions, however, he acknowledged that this option was viewed as unacceptable to many Irish people.[35]

David J. Howell, writing for the British Agricultural History Review's Journal, compares the scenarios faced by the Westminster administration in both Ireland and Wales during this period. In early 1886, John Gibson expressed doubt about the potential strength of a Welsh Land League, arguing that

---

[34] *'Land Acts - Discover Lough Neagh' (Discover Lough Neagh 2016)*

[35] *James Quinn, 'Arthur Balfour' (Dictionary of Irish Biography 2009)*

Welsh tenants did not share the same depth of grievance as their Irish counterparts. He believed that the Irish Land League had drawn its strength from a long-standing sense of injustice among Irish tenants—a perception heavily influenced by anti-landlord sentiment promoted by figures like Father Patrick Lavelle, parish priest of Partry. However, this characterisation of Irish landlord-tenant relations was somewhat reductive. He notes that later twentieth-century historians such as Barbara Solow, James Donnelly, Paul Bew, Samuel Clark, and W. E. Vaughan offered a more nuanced view. According to this revisionist perspective, Irish tenants were not uniformly subjected to excessive rent increases after the Famine; in many cases, rents rose only moderately and failed to keep pace with agricultural prices. Moreover, most landlords were not absentee owners. Though religiously distinct as Protestants, many landlords shared a common language with their tenants and were more integrated into the local social fabric than their Welsh equivalents. Evictions, which had peaked in the early 1850s, declined through the 1860s and 1870s and only rose again with the eruption of the Land War in 1878. In fact, many landlords exercised their power of eviction with relative restraint during that earlier period.

Nevertheless, the historical relationship between Irish tenants and landlords remained fraught, unlike the relatively peaceful dynamic in Wales. Conflict in Ireland had deeper roots, with organised resistance to landlordism surfacing during hard times such as 1849–52 and again in 1869–70. These years saw the resurgence of the Tenant League, local refusals to pay rent, and acts of intimidation aimed at tenants who complied with landlord demands. This period also witnessed several landlord murders, indicating the severity of the unrest. Between the Famine and the Land War, notable spikes in agrarian violence occurred during the economic downturns of 1849–52, 1862–64, and 1869–70. During the Land War itself, between 1879 and 1882, landlords made up as much as 36% of victims in agrarian-related killings.

Although there were some similarities in how Irish and Welsh landlords treated tenants, Irish landlords tended to act more harshly, particularly regarding evictions. While serious crime

declined significantly in rural Ireland between 1847 and 1876—thanks to factors like emigration, rising literacy, improved prosperity, and more consistent rent payments—Irish rural areas remained markedly more violent than their Welsh counterparts. From the mid-nineteenth century onward, Welsh communities, including some urban areas, became increasingly law-abiding and stable. In Wales, this growing social order was often credited to the influence of dissenting religious chapels. Leaders of Nonconformity claimed these institutions had a civilising effect. Reverend Henry Richard, for instance, argued that it was largely the moral and religious guidance of the chapels that kept Liberal-leaning Welsh tenant farmers from resorting to violence after the retaliatory evictions that followed the 1868 general election. Speaking in Parliament in 1871 in support of the secret ballot, Richard remarked that similar circumstances in Ireland would likely have provoked violent retribution by the tenants themselves.[36]

Charles Stewart Parnell MP, writing for the 'North American Review' in 1890, had argued that the measures of a subsequent land Bill {as per the Hansard records, Charles Stewart Parnell appears to be referring to the Land Purchase (Ireland) Bill 1890}[37] [38] fell far short of fulfilling its intended purpose. Though it was presented as a sweeping solution to the land issue, in reality, he claimed, it would benefit no more than one in four Irish tenants. Even within this privileged fraction, there were individuals who had no legitimate claim to state-assisted land purchase, as they did not hold the status of either occupying or agricultural tenants. Based on the pricing structure and approach previously implemented under earlier legislation, he had pointed out—without contradiction during the debate on the bill's second reading—that securing land ownership for all eligible tenants would require more than £166 million. These figures made it clear that the proposed model of tenant ownership was

---

[36] *David Howell, 'The Land Question in Nineteenth-Century Wales, Ireland and Scotland: A Comparative Study' [2013] British Agricultural History Society <https://www.bahs.org.uk/AGHR/ARTICLES/61_1_5_howell.pdf> accessed 10 June 2025.*

[37] *'THE IRISH LAND BILL. (Hansard, 1 December 1890)' (Parliament.uk).*

[38] *'LAND PURCHASE (IRELAND) BILL. (Hansard, 30 June 1890)' (Parliament.uk)*

unfeasible, as the state would never agree to provide the enormous financial resources needed to implement it.[39]

Later, the Land Law (Ireland) Act 1896 revised the statute of 1887 by raising the acquisition amount, and eliminating the elements that made the Act otherwise unappealing. The Land Courts were allowed to dispose 1,500 insolvent estates to tenants. A cumulative total of 47,000 properties had been acquired between 1891 and 1896.[40]

In the Irish case of *Brown v Ryan (1901)*, key case law regarding mortgage redemption for land was established. The case concerned a mortgage and a collateral agreement that raised issues regarding the principle that "once a mortgage, always a mortgage" and the doctrine of clog on the equity of redemption. The dispute revolved around whether an independent deed, which bound the mortgagor to sell the land through the mortgagee or pay a commission if sold otherwise, was enforceable. The defendant had mortgaged his land to the plaintiff as security for a loan of £200 plus interest. The mortgagee, in turn, used the mortgage as security to obtain funds from a bank. As part of the same transaction, the defendant signed an independent deed agreeing to sell his land within twelve months and to grant the plaintiff, who was an auctioneer, the right to handle the sale. The deed further stipulated that if the land was sold through another auctioneer, the defendant would pay the plaintiff a commission of five per cent on the purchase price. The defendant later sold the land through another auctioneer for £1,250.

The Queen's Bench Division, with Andrews J. dissenting, ruled in favour of the plaintiff, holding that he was entitled to recover £62 10s. under the agreement. However, the Court of Appeal reversed this decision, finding that the collateral advantage sought by the mortgagee in the independent deed imposed an

---

[39] *Charles Parnell, 'Mr Balfour's Land Bill' (1890) 150 The North American Review 665*

[40] *DJ Hickey and JE Doherty, A New Dictionary of Irish History from 1800 (Gill & MacMillan 2003).*

undue restriction on the defendant's equity of redemption. As a result, the agreement was deemed invalid.[41]

As the Limerick Archives discusses, at the beginning of the 20th century, Ireland was experiencing major social and economic shifts. Ireland remained largely agricultural, with landownership playing a crucial role in society. Mortgages were widely used as financial tools, enabling individuals to secure loans by offering their land as collateral. However, these agreements often included terms that placed extra burdens on borrowers, some of which could be considered excessive or unjust. During the late 19th and early 20th centuries, the legal principle of "clog upon redemption" became increasingly recognised in English and Irish contract law. This concept referred to any clause in a mortgage agreement that unfairly restricted a borrower's right to reclaim their property upon repaying the debt. Such provisions were viewed as oppressive and contrary to the principles of fairness. The ruling in this case was a landmark decision that reinforced the need to protect borrowers for land from objectively unjust mortgage conditions. It affirmed the growing legal view that mortgage agreements should not include terms that unduly limit a borrower's right to redemption. The Lord Chief Baron's judgment reflected an increasing awareness of the need to strike a fair balance between the rights of lenders and borrowers in mortgage dealings.[42]

From 1900, William O'Brien MP, leader of the United Irish League (UIL), established a coalition with 'constructive Unionists,' leading to the approval of reforming land legislation.[43] As Philip Bull notes in *'Land, Politics & Nationalism,'* in addition to appealing to Conservative notions of property, land acquisition also served to realise some long-term objectives of the tenant movement. This strategy resulted in the Wyndham

---

[41] [1901] 2 IR 653

[42] Gerard Hannan, 'Clogs upon Redemption: An Analysis of the 1900 Case of John Brown v. the Farmer of Ryaninch, Co. Tipperary | Limerick Archives' (Limerick Archives20 May 2023)

[43] Matthew Potter, The Municipal Revolution in Ireland: A Handbook of Urban Government in Ireland since 1800 (Irish Academic Press 2011)

Land Act of 1903, which initiated a transformation in land tenure in Ireland, abolished landlordism as a system, and effectively eliminated the foundation upon which the land question had gained its political significance. This did not, however, completely eliminate the problem from the political sphere, as it persisted in exerting an enduring impact on Ireland's political, social, and economic life. This transpired via the persistent association of Irish nationalism with the principles and concepts fostered by land discontent, as well as through enduring cultural and other effects linked to the historical connection between national identity and the objectives of the modest farmer. The 1903 Act provided practical and comprehensible remedies for the deficiencies of the several Conservative land acts enacted since the Ashbourne Act of 1885. The distinctive origin of this legislation, resulting from a representative assembly of Irish people with divergent agrarian interests, appears to epitomise the culmination of a protracted, disorderly, and predominantly acrimonious transition from colonisation to self-governance, from a pre-modern to a capitalist agricultural framework, and from turmoil to a consensus-based method of dispute resolution. In that regard, it represented both a potential precedent for the future and the culmination of a historical process. The Land Act of 1903 was proportionate to the demands of the circumstances it aimed to address. The proposition for sale and purchase was primarily grounded in an understanding of the delicate financial factors that each party would evaluate. The necessity for renters to compare current rent with purchase annuities was acknowledged, along with the requirement to associate this calculation with whether the rents were first or second-term rents in relation to the implementation of the 1881 Act.[44] This Act allocated £100 million to assist tenants in purchasing their farms. A twelve percent bonus was established to incentivise landlords to sell their entire estate in a single transaction. Tenants who received loans under the Act were required to return them in annual instalments over a period of sixty-eight and a half years.[45] The 1898 Local Government Act, which instituted county councils, and the 1903 Wyndham

[44] *Philip Bull, Land, Politics and Nationalism (St Martin's Press 1996)*

[45] *M Collins, Ireland Three (Educational Company of Ireland 1972)*

Land Act significantly diminished the power of the Anglo-Irish landlords over critical elements of Irish governance and society.[46] Subsequent legislation in 1909 reinforced the Wyndham Land Act, and mandated tenant purchase.[47] As pee the 1913 edition of the '*Stateman's Yearbook*,' the Land Stock could only be granted at a significant discount, and the Land Act of 1909 stipulated that future buyers may obtain funds via the issuance of 3 percent stock, allowing the Treasury to supply such stock in lieu of cash payments when making advances. The advances were repayable by the tenant buyers via 3% annuities. This Act reconstituted the Congested Districts Board, expanded its operational area, and enhanced its revenue. Mandatory purchasers were assigned to the Estates Commissioners and the Congested Districts Board.[48]

As Bastable notes in 'The Quarterly Journal of Economics,' this complex law mainly served as a property acquisition statute, and was meant to replace the 1881 rent fixing Act. There were measures to aid acquisition in the Land Act of 1881 and fair rent hearing provisions in that of 1903, but they were subservient to the primary objective and stashed away in an inconspicuous place. This represented the progress achieved since then. What was radical in 1881, in 1903 it was cautious. Thus, the new statute assists land transfer to the occupier in numerous ways. First, owners and occupiers may still use the old method. As now, the Land Commission must approve the sale and security. The selling landlord will get just the annuity capital, no bonus, and the purchaser's reduction is unlimited. The statute offers certain benefits, such as cash instead of land stock and decreased interest rates (2-1%), with an additional 1% for the sinking fund. Overall, it was unlikely that individual tenant transactions will remain significant.

Second, landlords and renters may agree to sell an estate. The parties merely agree on the price to pay the landlord or the rent

---

[46] *Daniel Mulhall and Eugenio Biagini (eds), The Shaping of Modern Ireland: A Centenary Assessment (Irish Academic Press 2016)*

[47] *Frank Biletz, Historical Dictionary of Ireland (Scarecrow Press 2014)*

[48] *Statesman's Yearbook (MacMillan & Co 1913)*

decrease they will get. An important criterion is that rentals established after 1896 must be reduced by at least 10% and no more than 30%, while those fixed earlier—the majority of first-term rents—must be reduced by 20–40%. Although "zones," as they were then called, had been attacked, they had several benefits nonetheless. The commissioners must approve any arrangement that meets the reduction criterion, and administrative and legal delays that previously delayed property acquisition are greatly reduced. The minimum limit prevents the State from financing more than the worth, while the maximum limit safeguards head landlords, encumbrancers, and reversion holders from being forfeited by a life or burdened owner. The Estates Commissioners may also authorise sales beyond the restrictions if they have good justification. The majority of transactions would likely be made directly via such arrangements.[49]

By implementing British government funding into Irish land transactions, Wyndham's 1903 law made aristocratic landowners earn money by selling smallholdings and estates, while assuring peasant tenants affordable terms.[50]

As L. Smith-Gordon and C. O'Brien demonstrate in the renowned 1903 work, *'Co-operation in Ireland,'* at that juncture, it was necessary to delineate the components of the issue of Irish agriculture as it existed in the years leading up to the Land Purchase Act of 1903. The nation's agriculture had experienced two significant afflictions, those of overcrowding and overgrazing respectively. The fertile soil of the nation was predominantly leased for extensive grazing, while the less arable terrain was densely populated by farmers who struggled to achieve mere sustenance. This was a significant consideration when comparing the size of agricultural holdings in Ireland with those in nations like Belgium. In Belgium, tiny holdings were prevalent on the most fertile ground, but in Ireland, they occupied the least arable soil. This was exemplified by numbers extracted from the

---

[49] CF Bastable, 'The Irish Land Purchase Act of 1903' (1903) 18 The Quarterly Journal of Economics 1.

[50] 'George Wyndham | Conservative, Irish Landlord & MP' (Encyclopedia Britannica 20 July 1998)

Agricultural Statistics of 1903, the year of the Wyndham Land Act. In that year, of the 544,625 cultivators, 388,802, representing 71 percent, operated on holdings of less than thirty acres, totalling only four and three-quarter million acres, or 23 percent of the total land area in Ireland. In 1903, there were over two hundred and seventeen thousand holdings in Ireland that were below the minimum economic size of fifteen acres. This truth had to be juxtaposed with the reality that counties such as Meath, which possessed the most fertile terrain in Ireland, were predominantly covered in grass, and virtually devoid of any animal life, save for the cattle grazing in the fields.[51]

Also writing in 1903, Richard R. Cherry K.C, appearing in '*The Irish Land Law and Land Purchase Acts, 1860-1901*,' highlights that the law relating to land and tenancy was not altered solely through legislation. Court decisions, despite claiming otherwise, gradually influenced legal principles across various areas, including landlord and tenant law in Ireland throughout the later part of the 19th century. He mentioned that reports on land cases became more frequent than before, with valuable records appearing in '*The New Irish Jurist*,' Mr. Greer's '*Monthly Law Reports*,' '*The Irish Law Times*,' and official reports. Some County Court and Sub-Commission cases had also addressed new legal points, without higher court precedent. Cherry believed that the growing volume of cases risked overwhelming rather than aiding practitioners, making it essential to focus on key decisions from the most authoritative courts. The overall number of relevant cases during this period amounted to over 2,000. Cherry notes that changes occurred not only in the law, but also in court practice and procedure. A widely debated 'Fortieth Section' prompted the publication of extensive new rules in the Land Judge's Court. The ejectment sections of the 1896 Act also necessitated additional rules in both the High Court and County Courts, while the Land Commissioners introduced entirely new sets of rules and forms for rent-fixing and land purchase.[52]

---

[51] *L Smith-Gordon and C O'Brien, Co-Operation in Ireland (The Co-operative Union 1903)*

[52] *Richard Cherry, The Irish Land Law and Land Purchase Acts, 1860-1901 (J Wakely and TH Maxwell eds, 3rd edn., Falconer 1903).*

The Estates Commission was granted the authority to obtain the exclusive rights to mine, extract, and explore for minerals, either on or under the property, under the statute. The rights of tenant-purchasers were protected by prohibiting the extraction of stone, gravel, sand, and clay for personal use. The provision excluded demesnes or other land reacquired by the seller under paragraph three (sale and repurchase of demesnes) as well as mines already in operation. Any prospective exploitation of the mineral rights had to be determined by parliament. The previous owner was entitled to 25% of all future income generated from the property, unless the Estates Commission choose to purchase his stake, which they might do at any moment after consultation with the treasury. Individuals were permitted to access property to exercise their sports and mineral rights, provided they reimbursed the owner for any resultant harm. Mineral rights in transactions under the statute must be reserved by explicit declaration and terms included in the vesting order or fiat agreement. Clause ninety-nine stipulated that the legislation did not affect sports, mineral, or water rights not possessed by the owner at the time of sale. Any operational quarry or mine, or any claim to water power employed by the owner, was excluded.[53]

The Wyndham Land Act was the most significant land reform enacted by any British administration during the Act of Union period (1801–1922).[54] The Act of 1903 would have long lasting effects on the politics and economy of the subsequent Irish Free State. In 1932, the newly elected Fianna Fáil government, led by the famed, but divisive, Eamon de Valera (then President of the Executive Council), resolved not to pay land annuities owed to the British government. The repayments of loans, provided to local farmers under several land acts to facilitate the purchase of their properties from landlords, as per the Wyndham Land Act of 1903, totalled approximately £5 million annually. Great Britain replied by putting taxes on Irish cattle exports from the

---

[53] Patrick Cosgrove, 'The Wyndham Land Act 1903 - the Final Solution to the Irish Land Question?' (NUI Maynooth 2008)

[54] Fergus Campbell, 'Irish Popular Politics and the Making of the Wyndham Land Act, 1901-1903' (2002) 45 The Historical Journal 755.

Irish Free State, which in turn enacted further charges on British goods. The product of this dispute would be the infamous 'Economic War' of the 1930s.[55]

Writing in 1917, William Frederick Bailey notes that a significant number of evicted tenants were restored in their properties under the Act of 1903, or were allocated new properties when their previous ones were unavailable. Substantial amounts of money, sourced from the Reserve Fund created by the Act of 1891, and made accessible by section 43 of the Act of 1903, were allocated for the enhancement of these holdings, and for the financial support of reinstated tenants when deemed essential by the Estates Commissioners. The stipulations of the 1903 Act proved inadequate to fulfil the legislature's objectives, prompting Augustine Birrell KC (Chief Secretary for Ireland) to enact the Evicted Tenants Act in 1907. This legislation empowered the Estates Commissioners to compulsorily acquire unoccupied land to establish holdings for tenants, or their predecessors, who had been evicted from their properties since 1878 and had submitted applications to the Commissioners prior to May 1, 1907. By March 31, 1916, a total of 13,656 individuals had submitted applications for holdings as evicted tenants. Of these, 7,338 were rejected by the Commissioners upon inquiry; 2,469 failed to apply within the designated timeframe; 3,472 were restored in their holdings; and 377 remained under investigation by the Commissioners.

In accordance with the mandatory stipulations of the Evicted Tenants Act (1907), the Estates Commissioners acquired 26,512 acres, including turbary and mountainous terrain, over 124 estates by 31st March 1916. Bailey notes that the entire amount allocated for the restoration of evicted tenants, including the enhancement of holdings, construction of structures, acquisition of livestock, etc., reached £367,075, of which £251,837 was provided as a free gift.[56]

---

[55] *Seamus MacAnnaidh, Irish History (Parragon Plus 2002)*

[56] *WF Bailey, The Irish Land Acts (HM Stationery Office 1917).*

Providing context, it is important to recognise that, beginning in 1907, Birrell faced increased agrarian unrest due to the deceleration of land reform in western Ireland, mostly attributed to a lack of financial resources. He faced severe criticism from Conservatives in the British parliament for his apparent reluctance to use compulsion to suppress dissent; nonetheless, his constructive strategy was ultimately validated. He demonstrated determination and sophisticated in obtaining bipartisan support for the funds and authority for compulsory purchase required to resolve the impasse in the 1909 Land Act, despite the objections of numerous landlords and the instinctive opposition of the Treasury to any additional spending on the Irish land issue.[57]

James Connolly, writing in 1908, opined that, in his view, that Ireland had served as a laboratory for radical legislative experiments which, in other countries, would have been anticipated only as the consequences of major Socialist upheavals. He observed that the Land Acts—specifically the Purchase Clauses—had often drawn fierce criticism from political theorists. Yet, in his opinion, these measures, despite their many flaws, had asserted the right of the original community not only to redefine property relations in line with evolving ideas but also to establish tribunals capable of supervising and regulating these new arrangements. Connolly acknowledged that these reforms did not amount to the full Land Nationalisation many Socialists had hoped for. However, he argued that they contained the germ of potential future socialisation of land. He reflected that the idea of Land Nationalisation had previously failed to gain traction in Ireland because the most radical and sincerely democratic elements of the population viewed the government as an alien power. To them, nationalising the land seemed tantamount to handing control of Ireland's soil to a foreign administration—one that already wielded excessive authority over Irish life, both politically and economically. Connolly noted that, in the eyes of such individuals, Land Nationalisation effectively meant state ownership of land. They questioned which state would own it, concluding: "The English Government! We have no other

---

[57] *Eunan O'Halpin, 'Augustine Birrell' (Www.dib.ie2009)*

government here." Their opposition stemmed from the belief that the British Government already exercised too much power.

He argued that the Land Acts had successfully dispossessed landlords, thereby eroding the economic foundation of their political dominance. With this shift, and outside of North-East Ulster, the influence of the landed aristocracy had dissipated. Connolly contended that an agricultural labourer stood a better chance of election than a former landlord did among his previous tenants in the south-west or east of Ireland. He further observed that peasant proprietorship, by its nature, was individualistic and thus tended to fragment political cohesion among smallholders. Despite such limitations, Connolly maintained that the Land Acts had freed Irish tenants from economic servitude, diminished the overarching grip of agricultural concerns on Irish politics, and opened the path toward a fundamental reorganisation of the community's social structure.[58]

A compelling figure supports the assertion that land reform had, up to this point, shown signs of success: in 1870, about 3% of rural Irish homeowners had their own land, however, by 1916, the percentage had increased to 64%.[59]

However, the economic historian, Timothy Guinnane, of Yale University, believes that the changes made by legislation up to 1909, while addressing certain goals of Irish nationalists, resulted in limited enhanced productivity within agriculture in Ireland. The acquisition of land by tenants facilitated a wealth transfer to Irish tenants, however it did not modify production motivations. Furthermore, the changes failed to capitalise on chances to enhance small farmers' ability to obtain financing that ought to have arisen from the establishment of a class of current owners. The legislative limits on mortgaging imposed by the Land Acts may have adversely affected rural finance access, diminishing

---

[58] James Connolly, 'The Land Acts and Socialism | Workers' Liberty' (www.workersliberty.org2013) <https://www.workersliberty.org/story/2023-05-09/land-acts-and-socialism>.

[59] David McCullagh, 'Book of the Day: Land Is All That Matters by Myles Dungan' RTE.ie (20 June 2024)

productive investment, and entrenching a possibly wasteful distribution of land. Guinnane summarises that the evaluation of Ireland's land reforms through a revisionist lens has persuasively contended that these measures exerted minimal direct influence on the motivations to toil and invest. This perspective suggests that Parliament might have attained equivalent outcomes through a strategy of non-distortionary taxation, which would have resulted in diminishing the wealth of landlords while enhancing that of their tenants. Nevertheless, the revisionists have not fully recognised that altering the distribution of wealth alone can yield significant economic consequences. Shifts in wealth resulting from a land reform can influence production through two distinct avenues. Conventional economic theory posits that an increase in wealth, when presented as a lump sum, will lead to a reduction in labour supply, provided that leisure is regarded as a normal good. Tenants experiencing a reduction in rent, or those whose rents are transformed into lower purchase annuity settlements, may exhibit a diminished inclination to engage in supplementary work outside of their own properties, a trend that has been prevalent. This phenomenon may indeed lead to a decrease in agricultural productivity, although it will inevitably enhance the farmer's overall well-being. The decrease in the labour supply from previous tenants will lead to a heightened demand for agricultural labour from alternative sources, consequently resulting in a boost in agricultural earnings. The enhancement of farmers' wealth may, in turn, lead to an improvement in dietary habits, thereby elevating the calibre of farm labour. Although some individuals faced significant poverty, it is unlikely that many Irish tenants experienced chronic malnutrition by 1881; thus, alterations in sustenance were probably not a significant factor in Ireland's land reform. Altering the allocation of wealth may also influence investment dynamics, particularly in scenarios where credit markets exhibit imperfections. Farmers with greater financial resources experience a diminished necessity for credit options and demonstrate superior borrowing capabilities in scenarios characterised by incomplete data. Initiatives aimed at enhancing rural credit constituted a

fundamental aspect of legislative changes during the late nineteenth century across a great deal Europe.[60]

While the establishment of the 'First Dáil' of 1919 is well known, nevertheless, the establishment of an alternative legal system has garnered somewhat less focus, but has been important in the formation of a counter-state, and grasping the land question. The revolutionary Dáil's judicial system, referred to as the 'Republican' courts, was mostly operational throughout the War of Independence and was entirely supplanted in 1924. Reflecting the hierarchical British system, it consisted of a supreme court, circuit courts, a district court in each parliamentary seat, and a local court in every Roman Catholic parish. Furthermore, there were specialised courts that only addressed land-related matters. It was in existence across the island of Ireland, with the exception of Co. Antrim and the city of Belfast, with cases kept in halls, outhouses and apartments above businesses.

The first court case under the direct jurisdiction of Dáil Éireann occurred at Ballinrobe, County Mayo, in May 1920. The case pertained to the confiscation of land. This was a time of heightened agrarian unrest throughout Ireland. The primary manifestation of this unrest, especially in the west, was the appropriation of land, resulting in the forcible acquisition of hundreds of estates and cattle ranches in the early 1920s.

The Dáil court proceedings were integral to the goal of creating parallel political and administrative institutions, as well as a demonstration of political and legal power by the First Dáil. They believed that exerting jurisdiction over agrarian unrest via Dáil land courts would show that Dáil Éireann was not only a notional institution, but rather competent in administering a separate state.

On this topic, Heather Laird notes that investigating the "illegal" legal framework for land formed by the First Dáil enhances our comprehension of a pivotal episode in our revolutionary history. A deeper study of the events and motives behind its

---

[60] Timothy Guinnane and Ronald Miller, 'The Limits to Land Reform: The Land Acts in Ireland, 1870-1909' (Yale University1995)

development, moreover, uncovers substantial difficulties regarding agricultural assets and deepens our comprehension of the link between nationalism, guerrilla activity and the land struggle.[61] It is also worth highlighting that the First Dáil established a Land Commission of its own in 1920.[62]

The year 1921 saw the partition into Ireland into Southern and Northern Ireland (though, this was prior to the establishment of the Irish Free State). Parliaments were established for each, with agriculture and fisheries set to be a primary focus for both. As the 'Skibbereen Eagle' reported of a memorandum penned by Sir Hamar Greenwood MP, then Chief Secretary for Ireland, in January 1921:

> "*The Government of Ireland Act became law on 23rd December 1920. It establishes a Parliament for the 26 counties in Southern Ireland, and a Parliament for the six counties in North-East Ireland. It also creates a Council for all of Ireland, composed of 20 members from each of the two Parliaments. The Council's first task will be to elect its members, forming a body of Irish men and women representing the entire island. The Council possesses significant powers, which are expected to increase over time. It has exclusive control over railways, fisheries, private bill legislation affecting all of Ireland, and any other matters that the two Parliaments may transfer to it. The Council serves as the federal unit of Ireland.*
>
> *The two Parliaments are comparable to state legislatures, but hold greater powers. After outlining the Act's provisions, Sir Hamar Greenwood stated: "The Home Rule Act is law. That is the historic and irrevocable fact. It is going to operate." He noted that in Ulster, candidates were already being selected for constituencies, with the election of the Northern Parliament, the formation of a Cabinet, and the establishment of a Government expected within a few months. Similarly, in the South and West of Ireland, elections would be held for the Southern Parliament. Greenwood stressed*

---

[61] Heather Laird, 'The Story of the First Dáil's "Illegal" Legal System' RTE.ie (24 July 2020)

[62] Heather Laird, 'How Did Free State Government Deal with Rural Unrest over Land?' RTE.ie (14 December 2022)

that Home Rule was now a reality, and the first members of the Southern Parliament would have the responsibility of shaping the future of Ireland. In Southern Ireland, many individuals are stepping forward as candidates, including some who previously showed little interest in politics. However, as Ireland is their country, they are determined to make their Parliament a success. Many longstanding Nationalists are also considering running for election. The Farmers' Union has grown into a large and influential organisation since the last election in 1916. As in other countries, farmers in Ireland seek political representation to advocate for their interests. Agriculture is the primary industry in Southern Ireland, and the Southern Parliament has been granted full authority to legislate on agricultural matters."[63]

The Southern variant of the parliament, however, was an ill-fated initiative. On 28 June 1921, the Parliament of Southern Ireland convened in Dublin City. The only members present were the four Unionist MPs representing the University of Dublin, as they were the sole candidates to take their seats in the House of Commons. After electing Gerald Fitzgibbon as Speaker, the session was adjourned. This was the parliament's only official meeting.[64] The parliament was described originally as meeting in the headquarters of the Department of Agriculture & Technical Instruction (DATI) by the 'Irish Independent,' with an armoured car placed outside of the entrance.[65] Calling it a "theatre of today's great farce," the 'Freemans' Journal' referred to the assembly as a "chamber in which dairyman and flappers have sat."[66]

In October 1921, the Senate of the Northern Parliament debated the issue of land purchase in Ireland, with several speakers urging the House to press the "Imperial Government"

---

[63] *Skibbereen Eagle 15/1/1921*

[64] *'Parliament of Southern Ireland Meets for First (and Only) Time in Dublin' - Creative Centenaries (2021)*

[65] *Irish Independent 28/6/1921*

[66] *Freemans' Journal 28/6/1921*

to complete the process as soon as possible. The session was presided over by the Marquis of Dufferin and Ava.

Mr. J. Hill Dickson called on the Leader of the House to put pressure on the Imperial Government to honour its commitment to completing land purchase in Ireland. He pointed out that for generations, the Irish land issue had been a source of turmoil and conflict. Those old enough would recall a time when landlords controlled legislation, and tenants suffered rent increases due to their own improvements. He highlighted the efforts made in Ulster through the tenant-right movement and various Land Acts to improve the farmers' situation. According to Mr. Dickson, only a few landlords had yet to sell their estates, and the Government had promised to finalise the land purchase process. He argued that fulfilling this promise would contribute more to the success of the Northern Parliament than any other measure. Colonel Sharman Crawford supported the call for the Imperial Government to complete land purchase, believing that both landlords and tenants in Ireland wanted it resolved. He stressed that if a broader settlement of the Irish question were to happen, land purchase must be addressed as part of it. However, he criticised the delays in the process, noting that landlords often had to wait a long time to receive payment, which sometimes did not even cover their mortgages. He suggested that any new legislation should ensure prompt payment through a secure financial arrangement.

Colonel R. D. Perceval Maxwell also advocated for ending the dual-ownership system under fair terms for both sellers and buyers. He believed that any recommendations from the Northern Ireland Government would carry significant influence with the Imperial Government in settling the issue. He expressed concern about the financial strain on landlords, stating that many depended entirely on their land for income and could not afford further economic pressure. While he acknowledged that some might argue landlords should cease to exist altogether, he did not believe this was the wish of the tenants, labourers, or broader society in Ulster. He urged the Government to ensure that any settlement would provide landlords with an income comparable to what they currently received from their agricultural holdings. Mr. H. Bruce Armstrong, D.L.,

acknowledged that both landlords and farmers would need to make sacrifices but warned against repeating the mistakes of the 1909 Land Act, which he described as unstable. He argued that land purchase did not result in a loss to the state, noting that, unlike other government expenditures, repayments on land purchase instalments had continued even during periods of unrest in Ireland. Given this track record, he believed the Imperial Government had little justification for resisting further land purchases. Mr. John A. Long, speaking as a tenant, shared his personal experience of the benefits of land ownership. He testified to the satisfaction, security, and independence that came from purchasing his holding. Through his broad experience with other farmers who had bought their land, he had yet to meet anyone who regretted their decision. As Chairman of the Londonderry County Council, he highlighted that he regularly received reports from the Land Commissioners, and also noted that arrears on repayments were minimal, reinforcing the argument that land purchase was a financially sound policy.

Lord Londonderry acknowledged that the discussion had covered a broad range of topics but deemed the debate essential. He assured the House that the Government was committed to urging the Imperial Parliament to complete land purchase. However, he emphasised that land purchase remained a reserved matter, meaning the Northern Parliament had limited direct influence over it. He encouraged Ulster representatives in the Imperial Parliament to support efforts to push the matter forward. Reflecting on the history of land legislation, he noted that past reforms had significantly improved conditions, though many challenges remained. He recalled the report produced during the Irish Convention, of which Colonel Sharman Crawford was a member, and suggested that if its recommendations, adjusted for post-war conditions, were implemented, they could provide a viable solution. Lord Londonderry concluded by stating that the Government was actively considering the issue, and invited members to submit any written suggestions for further action.[67]

[67] *Skibbereen Eagle 1/10/1921*

Legislating for land reform continued to be a primary political dilemma following the foundation of the Irish Free State in 1922.[68]

As land unrest continued into the existence of the Free State, civil unrest and disorder relating to land, particularly in the west of Ireland, was especially prevalent. Those who were on the side of land reform were even sometimes dubbed as 'Communists.' An editorial in the pro-Provisional Government 'Tuam Herald' on 13 May 1922 opined that:

> *"As Mr. Hogan, the efficient Minister of Agriculture and popular member for Galway, showed in his clear and forcible statement before the Dáil on Wednesday, the prevailing disorder and unrest, if it grows, will ruin the farmers, particularly those who purchased their holdings, which means nearly all. A Bolshevist or Communist idea is being encouraged for political reasons by certain limited men, which, if it spreads, will mean red ruin for the farmers. If the land is to be distributed and holdings are to be broken up, as is the idea, there won't be enough land for even half the crowd who will want it, and public robbery will become the rule of the day. The sooner order is restored and things return to peace and honesty, the better for every man in Ireland today who has any interest in the country."*[69]

As per the 1926 edition of '*Encyclopaedia Britannica*,' according to the Ministries Act of 1923, the agricultural and land divisions of the Congested Districts Board were assigned to the Minister of Agriculture, while the fisheries and rural economy divisions were assigned to the Minister of Fisheries.[70] However, in accordance with the Land Law (Commission) Act 1923, the Land Commission was reconstituted, with the newly appointed Commissioners assuming the powers and responsibilities of the previous Estates Commissioners under the Land Acts of 1903 and 1909. Concurrently, the Congested Districts Board was

---

[68] *SJ Brandenburg, 'Progress of Land Transfers in the Irish Free State' (1932) 8 The Journal of Land & Public Utility Economics 275.*

[69] *Tuam Herald 13/5/1922*

[70] *Encyclopaedia Britannica (1926)*

dissolved, and its land settlement functions, along with its funds and relevant personnel, were transferred to the Land Commission. The whole issue of land settlement was deemed more effectively controlled by a single entity.[71]

There was nonetheless opposition to land redistribution from some Irish farmers themselves. On the topic of land distribution, the 'Irish Independent' reported on 28 March 1923 that:

> "*The maintenance of the fattening grasslands of Meath is necessary, and that their breaking up would be unprofitable, was the evidence of Mr. John Leonard, representing the Meath Farmers' Association, before the Agricultural Commission. Mr. Leonard stated that fattening land, of which there was a very large quantity in County Meath, was better suited for grazing than for any other purpose. There were large areas well known for their ability to fatten cattle without any artificial aid. These fattening areas provided an alternative market for cattle rearers, who typically raised livestock to 1 to 2 years of age but were unable to finish them. The owners of fattening land then purchased these cattle and brought them to maturity. During the war period, cattle rearers received a better return than anyone else. At present, store cattle were selling well compared to fat stock.*
>
> *Regarding the competition from Canadian cattle, he was confident that Irish farmers could withstand it by rearing only the best livestock and putting it on the market in prime condition. The first few consignments would likely cause considerable disruption in the cattle trade, and there might be a temporary decline in the value of store cattle. However, if only high-quality stock were reared and turned out in first-class condition, the Irish trade would continue to hold its own. The witness further stated that many cases existed where farms had been divided and given to new owners who simply continued the previous occupiers' methods. This was not an improvement, as breaking up large farms and distributing them among multiple people who merely continued to use the land for small-scale grazing did not enhance productivity. If the new*

---

[71] CF Kolbert, Land Reform in Ireland: A Legal History of the Irish Land Problem and Its Settlement (University of Cambridge Department of Land Economy 1975)

occupants of these smaller lots were compelled to till the land, they would be condemned to bankruptcy."[72]

Prior to the enactment of the Land Law (Commission) Act, 1923, the land acquisition plan was voluntary, reliant on agreements between landlords and tenants, facilitated by financial support from governmental entities. The political will to implement compulsory acquisition for the remaining three million acres of land was evident in a Bill presented in Westminster in 1913; however, it did not become law due to the Home Rule issue. A bill proposed in 1920 similarly did not succeed in becoming law. Compulsory acquisition was pivotal to the 1923 Act. Subsequently, the remaining tenanted estates, including over 3 million acres and around 114,000 holdings, were conveyed to the tenants contingent upon the payment of land annuities in accordance with the Land Act of 1923 and later legislation.[73] This other Act, enacted on April 1, 1923, was mostly administrative in purpose.[74]

On 28 May 1923, the Minister for Agriculture, Patrick Hogan TD, introduced a new Land Bill. The Bill introduced, he stated, aimed to complete the Land Purchase process, continuing work that began in 1870. It was the seventh such measure, following the success of previous Land Acts that led to 400,000 homesteads, and the purchase of £7,000,000 in rents. The 1903 Act had been a significant achievement, and the new Bill sought to address the remaining 70,000 un-purchased tenancies, including both judicial and non-judicial ones.

The Bill proposed that tenants with rents fixed before 1911 would receive a 35% reduction in their annuity, while those after 1911 would receive a 30% reduction. For vendors, the State would pay approximately 15 years' purchase for land, with a 10% contribution towards the purchase price. The Bill also provided for the acquisition of untenanted land in congested

---

[72] *Irish Independent 28/3/1923*

[73] *F Kennedy, Cottage to Crèche: Family Change in Ireland (Institute of Public Administration 2001)*

[74] *Land Economics: Vol 8 Issue 3 (University of Wisconsin Press 1932)*

districts and aimed to make uneconomic tenancies viable by acquiring land where necessary. It addressed arrears by cancelling those due before 1920 and reducing later arrears by 25%.

Overall, he noted, the Bill aimed to complete the transition to land ownership for tenants, relieve congestion, and resolve lingering land purchase issues, with the hope of improving Ireland's land structure and ensuring fairness to both landlords and tenants.[75]

On 8 August 1923, when it was last debated, Deputy Patrick Hogan (Minister for Agriculture), succeeded in passing many amendments to the Bill that would become the Land Act 1923. The Deputy moved that the Dáil agree to Amendment No. 3, proposing to replace "regularly employed on" with "in connection with" in Section 24, Sub-section (3)(c). He assured the Dáil that the amendment contained no hidden implications. The revised section would state that any parcel of untenanted land, such as a demesne, home farm, park, garden, or pleasure ground, or any holding usually occupied by a person "in connection with" such property, would be covered. The intent was to clarify cases like that of a gate-house situated across from a demesne gate. Often, the resident of a gate-house did not work directly within the demesne. Instead, he might live there with the understanding that he or a family member would open the gate when necessary, while being employed elsewhere.

The original wording, he claimed, failed to exclude many such cases, leading to potential misinterpretation. The amendment sought to ensure that someone occupying a gate-house for such purposes would not be classified as an ordinary farmer. It was never intended that such individuals should be required to purchase the property. A provision later in the Bill addressed similar cases, including situations where a gate-lodge resident's wife or daughter opened the gate while he worked elsewhere.

Conversely, he asserted, if a person occupied a house and was regularly employed within the demesne, he should have the right

---

[75] *'Dáil Éireann Debate - Monday, 28 May 1923' (Oireachtas.ie)*

to purchase. The phrase "in connection with" was chosen because it had been used in previous Acts concerning gamekeepers, gatekeepers, and similar roles. The Deputy urged the Dáil to accept the amendment, as it accurately reflected the intended distinction between those who should and should not be eligible to purchase.

Labour leader, Deputy Tom Johnson, noted that the Minister claimed the proposed wording was taken from existing Acts. While these words may not have caused issues before, it was possible they had never been challenged. The phrase "in connection with," he believed, appeared vague and broad. He also questioned whether any interpretation other than the Minister's was possible, suggesting that the wording seemed vague. They proposed that the Minister consider a clearer alternative, such as "ordinarily employed on or in connection with."

Hogan replied by arguing that the suggested wording would not resolve the issue, as some individuals ordinarily employed on, and in connection with, a demesne would still not be entitled to purchase. They acknowledged the difficulty of finding language that could not be misinterpreted by a Commissioner or Judge. However, he believed the proposed words fairly addressed the situation and favoured the occupier over the demesne owner. While unable to cite specific examples, they maintained that cases existed where a person employed on a demesne and occupying a holding would have the right to purchase.

He also successfully passed the following amendments:

> *To add after Sub-section (3) the following new sub-section:—*
> *(4) Where the Land Commission declare that any land coming within Clause (a) of Sub-section (2) of this section is required for the purpose of relieving congestion the following provisions shall have effect:*
> *(a) If the land so declared forms portion of the holding, the proprietor or tenant of the holding may within the prescribed time and in the prescribed manner require that the entire holding be so declared, and the Land Commission shall in that event either so*

declare the entire holding or withdraw from the proposed acquisition of the said portion.
(b) If within the prescribed time and in the prescribed manner the proprietor or tenant of the declared land so requires them to do, the Land Commission shall as soon as practicable provide the said proprietor or tenant with a new holding which in the opinion of the Land Commission other than the Judicial Commissioner (subject to the right of appeal to the Judicial Commissioner, whose decision shall be final) shall be equally suitable for the said proprietor or tenant and of not less value than the declared land. The provisions contained in this Act for transferring burdens and rights on the exchange of holdings by agreement shall extend to any exchange of lands effected under this sub-section.

The Minister also stated that the amendment addressed a crucial omission in the Bill, and represented a significant improvement. Its purpose, he claimed, was clear: to prevent the Land Commission from taking most of a holding while leaving only a small portion, ensuring they either acquired the entire holding or none of it. The Bill primarily dealt with purchased land, covering 13 million of Ireland's 20 million acres. Concerns were raised that granting the Land Commission power to acquire holdings within these 13 million acres could negatively impact land value and security, especially since compensation would not reflect market value. However, it was clarified that only around 10% of purchased land would be affected, with 90% remaining untouched. Despite this, uncertainty could undermine landowners' confidence, making it necessary to explicitly safeguard against undue devaluation.

In practice, he suggested, the Land Commission would generally offer a better or equally suitable holding in exchange for acquired land, ensuring fairness. This process would not harm existing owners, but would allow land to be redistributed efficiently. The Bill aimed to alleviate congestion by acquiring large holdings only when necessary and providing equivalent land in return.

Suggestions to exempt holdings under a £40 valuation were rejected, as suitable land in certain regions, such as Galway or Monaghan, might fall within this category. A flexible approach,

he believed, was essential to effectively address congestion. He concluded by declaring that these amendments, proposed by the distiller and banker, Senator Andrew Jameson, strengthened the Bill and provided necessary safeguards, ensuring both fairness and stability in land acquisition.

Hogan also passed another significant amendment, placed prior to section 35. It read:

> *"Where the Land Commission have acquired any land from an owner under this Act, they may purchase from him any demesne or other land in his occupation adjacent thereto at a price which in their opinion represents the selling value thereof, and in such case may resell the whole or any portion of that land to him, as if he were a person to whom advances might be made for the purchase of a parcel of land under this Act. The provisions of Sub-sections (4) and (5) of Section 3 of the Irish Land Act, 1903, shall apply to any resale under this section."*

Hogan explained that the Land Commission would have the option, as under the 1903 Act, to purchase a demesne and resell it to the owner. This would not affect its power to acquire demesne land for congestion relief but applied to demesnes left untouched. If a landowner's tenanted and untenanted land were acquired at set prices, they might face financial hardship, particularly if heavily encumbered. It was suggested that a relief clause, similar to the 1903 Act, was necessary in such cases. The Land Commission could offer assistance by purchasing the demesne, reselling it at its own price, and advancing the funds for repurchase. This would effectively provide financial relief at an interest rate of 4.5%, entirely at the Land Commission's discretion.

In response to a query from Tom Johnson TD, asking whether it was "a plea for the hard-up landlord," Hogan replied by claiming that:

> *"I say that it is not a plea, but it is in the interest of the landowner who is very heavily hit by the provisions of this Act. It does no one any harm."*[76]

The Land Act 1923 and the Land Law (Commission) Act 1923, together with subsequent amendments in later Land Acts, provided supervisory authority to the Land Commission. These Acts illustrate the progression of public policy in Ireland, from a voluntary to a mandatory system of land transfer from landlords to tenant-purchasers via the Land Commission. The Land Act 1923 stipulates that property subject to a tenancy agreement with fewer than sixty years remaining ('tenanted land') must immediately vest in the Land Commission. Under the 'appointed clay' system, landlords were seen to have consented to sell their property to the Commission, while renters on 'tenanted' land were regarded as having contracted with the Land Commission to purchase the land they held. The Commission was also granted authority over 'untenanted' property in regions classified as crowded. The approach has facilitated the establishment of successful holdings by reallocating land ownership to appropriate tenants. Throughout the years, the Land Acts have empowered the Commission to issue directives, including the establishment and delineation of rights of way to and from property, as well as determining compensation for landowners, according to section 43 of the Land Act 1923. In instances where a portion of a holding encumbered by an advance under the Land Purchase Acts is permanently inundated due to coastal or other erosion not attributable to the tenant, the Land Commission is authorised to allocate the land purchase annuity or annual total among submerged and non-submerged land. Consequently, the tenant shall be responsible solely for the element of the land purchase annuity corresponding to the non-submerged land, as stipulated in section 37 of the Land Act 1933. The Commission could, by order, merge two or more holdings when deemed appropriate or needed for the purposes of the Land Purchase Acts, provided that the tenant or proprietor agreed to the convergence.[77]

---

[76] *'Dáil Éireann Debate - Wednesday, 8 Aug 1923' (Oireachtas.ie)*

[77] *Ronald Stout, Administrative Law in Ireland (Institute of Public Administration 1985)*

The first recorded indication of the Land Commission's efforts to acquire land after independence appears in a 1925 parliamentary inquiry regarding its plans for land acquisition. The 1923 Land Act, under Section 36, had granted the commission the legal authority to compulsorily acquire untenanted land.[78]

The case of *Lynham v. Butler* examined the implications of the Land Law (Commission) Act, 1923, regarding the authority granted to the Land Commission, excluding the Judicial Commissioner. The acquired authority was contended to be judicial in character, hence incompatible with the Constitution. The renowned Gavan Duffy K.C. represented the defendant. However, it was determined that judicial authority, as defined by the Constitution, had not been appropriated by the Land Commission, save for the Judicial Commissioner.[79]

This Act also played a major role in determining the life of a statutory corporation. This happened in the case of 'perpetual succession.' Perpetual succession refers to the concept that a corporation possesses legal immortality, ensuring its continuous existence. This characteristic is exemplified by its unique corporate name and seal. However, a corporation established by statute can be dissolved through the same legislative process, as demonstrated by section 5 of the Land Law Commission Act, 1923, which dismissed the corporate existence of the Congested Districts Board.[80]

As Tony McCarthy elucidates in the 'Irish Farmers Journal,' over the course of its century-long operation, the Land Commission exerted authority over almost every facet of rural life in Ireland. It adjudicated more than 600,000 rental disputes, guided nearly 450,000 individual land acquisitions, recovered several thousands

---

[78] Ronald Connolly, 'How Access to Concealed Land Commission Files Offers Historical Insight into Land Disputes' (Irish Independent8 August 2023)

[79] GM Golding, George Gavan Duffy, 1882-1951: A Legal Bibliography (Irish Academic Press 1982)

[80] Public Administration in Ireland Vol II (Parkside Press 1949)

of acres, constructed roads and bridges, allocated hundreds of sports fields to local communities, drilled wells, executed numerous drainage projects, constructed over 20,000 labourers' cottages, and addressed innumerable disputes over land. No other institution, apart than the Catholic Church, has significantly influenced and defined rural Ireland. Distinct from any statutory organisation prior or subsequent, it engaged comprehensively in all facets of a land transaction, including land valuation, coordinating buyers and sellers, negotiating prices, providing loans to purchasers, compensating vendors, settling property debts, managing estates by consolidating holdings for enhanced economic viability, collecting biannual annuities from purchasers, and monitoring adherence to appropriate agricultural management procedures by purchasers. The Land Commission, as anticipated for an agency wielding significant authority, was both revered and criticised in rural Ireland. It was loathed by several landowners and extensive grazier farmers for fragmenting their estates, by agricultural labourers and previously evicted tenants for not providing them with land, and by significant portions of the populace for being bureaucratic, ineffective, and expensive (at its zenith, it hired over 1,300 individuals).[81]

The Land Act of 1923 included several recommendations for a conclusive land settlement derived from the resolutions made during the Irish Convention of 1918, chaired by Sir Horace Plunkett. By that time, the Land Commission had acquired 13 million acres of farmland from 1885 to 1920, with the property mortgaged to tenant farmers and agricultural labourers. By 1923, there were over 114,000 farms. In 1917, of the 572,574 properties in Ireland, 112,787 were under an acre of land, while 123,129 consisted of holdings ranging from 15 to 30 acres. Such figures elucidate the issues pertaining to land scarcity and land-related unrest. Kevin O'Higgins's address in the Dáil on 14th June 1923 is notable for his acknowledgement of 'land grabbers' and the issues they could pose in the years to come:

---

[81] Tony McCarthy, 'Land History Series: The Irish Land Commission' (Irish Farmers Journal2023)

> *"They cannot have law and violence. They cannot have an Act and their own plunder and, insofar as it can secure it, I will see that they do not have it […] and by the time this Bill reaches its final stages, I hope to be able to assure the Dáil that there is not in any county over which we have, for the time being, responsibility and jurisdiction, one acre of land in the possession of any person but the legal owner."*

The 1924 Minority Report of the Agricultural Commission, authored by Labour's Tom Johnson and Michael Duffy, is essential for comprehending the shift away from pledges to allocate land for those without land of their own, favouring the cattle grazing economy over productive agriculture, which prioritises employment generation and food security. Paragraph 71 declares:

> *"The Majority Report contains the error of treating every holder of agricultural land as an agriculturalist, and the farming community as homogenous. The Majority overlook the difference between the small farmer who employs his own family labour and supplies a local market, and the large farmer who depends wholly on wage labour and sells his produce for export. Their interests may differ acutely as when, for instance, a proposal involving local employment of labour is raised. The small farmer would benefit by a local demand for labour at high wages because thereby his home market is improved; the large farmer may lose because of competition for labour and the effect on the wages of his own labourers. Equally well marked may be the difference of interest between the tillage farmer and the grazier."*

As Michael D. Higgins highlights, it is a compelling endeavour to examine the growing divergence of the landless from the first talks of 1923. Among those who obtained land through redistribution programmes, some possessed agricultural expertise; however, the majority were specialists, including grocers and practitioners who had gained skills through a series of obligations, which frequently posed challenges related to

competition. Several would establish themselves away from their trainers to evade rivalry with former employers.[82]

A 2022 feature by RTÉ highlights how the background of the 1923 Act was pushed forward in the context of a civil war. On 4 January 1922, in the Dáil, Alec McCabe, TD for Sligo and Mayo East, had supported the acceptance of the controversial Anglo-Irish Treaty, citing that the land issue remained unresolved. McCabe predicted that rejecting the Treaty would likely lead to a resurgence of conflict, whereby the landless labourers would resort to more lethal instruments than "hazel sticks" in their assaults on the farms. McCabe could not foresee that some prominent factions within the Anti-Treaty IRA would soon advocate for land seizures as a strategy to bolster their fight and garner the public's backing. The opinion among many, particularly in areas where local opportunities were significantly reliant on land access, was that land reform, whether in whole or in part, had overlooked them, hence exacerbating land thirst and land-related threats.

Aware of the newly established state's evidently inadequate policing capabilities amid pervasive violent civil unrest, and motivated by Minister for Agriculture Patrick Hogan's apprehension of an impending severe 'Land War,' with deliberations in late 1922 concerning a specifically designed military offensive, resulted in the formation of the Special Infantry Corps (SIC) in January 1923. By early April 1923, Hogan said that the SIC was remarkably efficient in pacifying and restoring effective police authority in areas most susceptible to agrarian unrest. On 5 January 1923, Hogan told the Dáil that his government's objective was to finalise land acquisition and to make each property in the Free State economically viable, to acquire the congested regions and buy up the pastoral lands outside those congested districts. The extent and severity of agricultural intimidation necessitated Hogan's reformist movement, culminating in the 1923 Land Act; yet, he insisted that changes could only proceed once seizures of property and

[82] *M Higgins, 'On the 100th Anniversary of the Passing of the 1923 Land Act' (president.ie2023)*

other forms of agrarian opprobrium had ended.[83] It is also worth highlighting that, according to Eve Morrison, while effective in dealing with land unrest, the SIC were infamous for their brutal and heavy-handed methods, even doling out intimidatory destruction on people with no involvement in such activity.[84]

Regrettably for landlords, in addition to forfeiting a significant portion of their rental revenue, the 1923 Act mandated compensation for their property in land bonds, which exhibited volatile fluctuations in value. According to the BBC, the 1923 Act ultimately precipitated the fall of southern landlordism. Nonetheless, dissatisfaction with the Act persisted due to ongoing issues with land partition. The beginning of the termination of the land redistribution process occurred, marked by a series of land statutes enacted between 1933 and 1965. Simultaneously, a Land Act was enacted in Northern Ireland in 1925. In contrast to the southern legislation, often associated with the nationalist movement, the history of the Northern Ireland Land legislation remains largely untold, since it does not conform to any established narratives. The societal composition of Northern Ireland significantly differed from that of the Irish Free State. The Irish administration mostly included middle-class republicans with less empathy for landowners and vast estates, but the Northern Irish government included several landowners. Lord Londonderry and Sir Edward Mervyn Archdale were included. Professor Olwen Purdue asserts that the presence of landowners and their extensive estates was significant to unionists, since it symbolised the continuation of Northern Ireland's status within the UK. Unionist tenants, who had actively advocated for a land act, allegedly felt "betrayed" by the landlord-dominated administration that guaranteed the policy favoured the landed elite. Analogous to Ireland's legislation, renters might acquire land at reduced costs by compulsory acquisition. Nevertheless, landlords in Northern Ireland saw a much reduced financial impact due to a 10% bonus added to the

---

[83] Tony Varley, 'A New Land War? Land, Class Politics and State-Building 1922-23' RTE.ie (2 November 2022)

[84] Eve Morrison, Kilmichael: The Life & Afterlife of an Ambush (Irish Academic Press 2022).

land bonds they obtained. This, consequently, led to a much reduced decrease in landlordism in Northern Ireland.[85] By 1925, the structure of landownership had already undergone a near-total transformation, with the majority of farms in Ulster being owned by the families who cultivated them.[86]

Another significant piece of legislation to come into being during the 1920s was the Land Bond Act 1925.[87] It was an Act designed to improve the issuance of Land Bonds under the Land Act of 1923, ensuring their guarantee, redemption, and interest payments, as well as managing the distribution of purchase annuities collected under that legislation.[88] A report from the 'Irish Times' in December 1937 would detail that Mr. George McGrath, Comptroller and Auditor-General, in his report on the Land Bond Fund for the year ended March 31, 1936, documented that in accordance with the provisions of the Land Bond Act, 1925, the second annual drawing of bonds took place m October, 1935. The accounts showed that 44% Land Bonds, to the nominal value of £171,870 were drawn for redemption.[89]

On 26 July 1926, Ernest Blythe, Minister for Finance, announced to the Dáil the government's decision regarding the National Land Bank. The Executive Council had resolved to dispose of the Minister for Finance's interest in the bank. Previously, Blythe had highlighted the National Land Bank's anomalous position and the challenges associated with its operation. He had also requested the Banking Commission to examine its future, considering whether it should be assigned new functions, continue as before, or be discontinued altogether. The Banking Commission of 1926, in an interim report

---

[85] *Clodagh Warnock, 'Ireland's Land Acts and the Decline of the "Big House"' BBC (18 June 2023)*

[86] *J Bell, Farming in Ulster: Historic Photographs of Ulster Farming and Food (Friars Bush Press 1988)*

[87] *'Land Bond Act 1925' (Irishstatutebook.ie1925)*

[88] *Dáil Éireann, 'Land Bond Act, 1925' (Oireachtas.ie1925)*

[89] *Irish Times 2/12/1937*

submitted to Blythe, recommended discontinuing the bank, either through its sale to another institution or by winding it up. Even before the Banking Commission's assessment, the Bank of Ireland had inquired whether the government would consider an offer for the bank's purchase. In response, the government stated that any such offer would be evaluated on its merits. Subsequent investigations and negotiations took place, leading to a final decision. The Bank of Ireland presented an offer that the Executive Council deemed favourable, prompting them to accept it.

The agreed purchase price for the Minister for Finance's interest in the National Land Bank was £203,000, equivalent to its paid-up capital. However, a portion of £13,000 from the total purchase amount would remain outstanding for three years. This arrangement was necessary to ensure that the bank's staff received proper protections. Ernest Blythe also reminded the Dáil of the circumstances surrounding the National Land Bank's establishment in 1919. Its primary objective, he noted, had been to prevent the national struggle from devolving into a land war. The bank was intended to initiate land distribution in a way that would keep those involved in the national struggle from redirecting their efforts toward land disputes. Over time, its scope expanded to include general banking activities, such as accepting public deposits and opening new branches. However, the bank struggled to attract substantial public deposits, which was unsurprising given the political and economic climate. Blythe recalled that in some cases, prominent individuals who had advocated for new branches provided very little business to the bank once they were established.

The National Land Bank also faced considerable hostility from the British authorities, leading to multiple raids on its headquarters and branches. In one instance, an entire branch staff was taken hostage and transported around the country. Blythe highlighted that many who joined the bank during a period of turmoil had left secure positions elsewhere, taking significant risks to do so. This was met with noticeable hostility

during the debate from Michael Heffernan (leader of the Farmers' Party) and Tom Johnson (leader of the Labour Party).[90]

This measure caused a great uproar during a period of political and social instability. 'An Phoblacht,' being the news and propaganda organ of the non-constitutional, Anti-Treaty IRA, lambasted privatisation, and opined that:

> "*The Free State Cabinet has sold the National Land Bank to the British-controlled Bank of Ireland. The transaction was carried out secretly, behind the backs of the people, and was only announced when it could no longer be reversed. As a result, the last shred of financial independence has been surrendered, and the final remnant of the Republic's practical achievements has been recklessly erased. Ireland's industrial future has been placed under the unquestioned control of international financiers, taking yet another step toward consolidating British economic domination in the Free State. Like every other act of betrayal against the nation, this was done after secret consultations with British interests in the country. It is these interests, not the people, who hold true power in the so-called Saorstát.*"[91]

In '*The War for the Land in Ireland*,' Brian O'Neill recounted that, despite the rise in emigration, discontent in rural Ireland remained unresolved. The Land Commission increased its pressure on working farmers, and decrees for arrears in annuity payments became increasingly common in the industrial courts. Discontent over these annuities began to surface in the organ of the hardline IRA, '*An Phoblacht*,' where the editor at the time, Peadar O'Donnell, amplified the agitation. He highlighted not only the growing financial inability of small farmers to meet their obligations but also the fundamentally unjust nature of the annuities themselves. These payments were collected by the Free State Government and transferred to British authorities for distribution among British and Irish bondholders who had financed earlier land purchase schemes—rendering the annuities, in O'Donnell's view, a form of tribute.

---

[90] *'Dáil Éireann Debate - Tuesday, 20 Jul 1926' (Oireachtas.ie1926)*

[91] *'Passing of the National Land Bank' An Phoblacht (23 July 1926).*

Up to 1927, there had been little widespread resistance to rent or annuity payments. However, in early 1927, defiance reignited in Tirconail. A campaign for non-payment of rent gained traction, spreading through numerous town-lands in the Rosses. Committees were established, and on 19 February, the struggle escalated with the arrest of Seán McCool, Alick Mailey, Bernard O'Donnell, and James McGee. They were charged with participating in an armed raid on the estate office of the Marquis of Conningham, and seizing rental documents. That weekend, Peadar O'Donnell addressed mass meetings at Meenmore and Doochary. He described the seizure of rents and documents, referring to them as "blood-bespattered documents" now held in a distant town under police guard. On 23 March 1927, he was arrested. By 2 April, he had been returned for trial on charges of inciting and conspiring with others to refuse payment of annuities to the Land Commission. In his defence, O'Donnell declared that landlordism had never possessed legitimate authority and that the land annuities were no more valid than their colonial origin—"the Conquest." He condemned the entire system as unjust.[92]

A few years later, the Land Act 1929 would be passed. This Act granted the Irish Land Commission authority, in specific cases, to appoint limited administrators for deceased individuals. It also established the standard purchase annuity for holdings subject to non-judicial rents, clarified and amended provisions of the Land Act, 1923, concerning fisheries and fishing rights, and empowered the Commission to acquire certain fisheries and fishing rights.[93]

Introduced by Cumann na nGaedheal's Martin Roddy TD, then Parliamentary Secretary to the Minister for Lands & Fisheries, it would become the source of criticism for Thomas Derrig TD, of Fianna Fáil. He found the Bill to be highly underwhelming, describing it as a superficial approach that failed to properly address the issue. Rather than tackling the problem as it should

---

[92] *Brian O'Neill, The War for the Land in Ireland (International Publishers, New York 1933)*

[93] *Dáil Éireann, 'Land Act, 1929' (Oireachtas.ie1929)*

be, the Bill merely tinkered with existing measures. He believed that if obstacles needed to be overcome, all parties in the House should focus on their removal and work towards effective solutions.

However, since the Government had made the effort to introduce a Bill concerning vesting—though it did not explicitly state this, the second section appeared to imply it—he acknowledged that it represented a step in that direction. Despite this, he argued that further progress should have been made, particularly in advancing the vesting of non-judicial tenants. The situation for both judicial and non-judicial tenants remained highly unsatisfactory, he claimed.

Among the 35,768 non-judicial tenants, only 2,385 had been vested as of 31st March of that year, leaving 33,383 still awaiting vesting. At that pace, he estimated it would take another 84 years to complete the process. While the difficulties for judicial tenants were somewhat less severe, the process for non-judicial tenants, as assumed in the Bill, had previously required taking 65 to 70 percent of the judicial rent. Despite this, figures for the year ending 31st March 1928 showed that approximately 50,000 judicial tenants had not yet been vested. He calculated that, at the current rate, it would take an additional 70 years to complete the vesting process for judicial tenants.

When asked by Roddy where he found the number of 70 years, Derrig replied by saying that he had calculated the rate of vesting by dividing the total number of vested holdings by the years since the passage of the 1923 Act. At that pace, he estimated that approximately 1,000 holdings were vested annually, which appeared to be the rate at which the Land Commission was operating. While acknowledging an improvement—crediting the Parliamentary Secretary for progress—he questioned why similar steps had not been taken earlier. Over the past nine or ten months, the Land Commission had vested more holdings than in the previous five or six years. Given this demonstrated capability, he argued that the issue should be fully addressed within the current generation rather than being drawn out indefinitely. He hoped that, in response, the Parliamentary Secretary would assure them that the work

would not only be completed within the present generation, but within a few years—during the tenure of the current Government.

From another perspective, he suggested that if the Parliamentary Secretary was dissatisfied with those figures, he should examine progress over the past five years to project future timelines. Doing so would reveal that, at the current rate, the remaining work would take another 70 to 80 years to complete. If that estimate was still unsatisfactory, he urged the Parliamentary Secretary to consult his own Department's report, which showed that by 31st March 1928, the total amount of annuities collectible from tenants vested under the 1923 Act amounted to only £50,000. This sum was derived from 1,363 tenants, from whom annuities were actively collected that year. However, 94,568 tenants had yet to be vested, and the vast majority remained unvested. These tenants were collectively paying £950,000 annually as interest in lieu of rent.

He reiterated his long-standing claim that these tenants were unfairly treated due to the Land Commission's failure to implement what he believed was the core intention of the 1923 Land Act: eliminating the interest-in-lieu-of-rent period and ensuring that tenants received the benefits of reductions while their payments contributed to liquidating the purchase price of their holdings. By withholding these advantages, the Land Commission had effectively deprived the tenantry of £80,000 to £90,000 annually. In 1928 alone, tenants paid £950,000 in interest in lieu of rent, none of which contributed to clearing their purchase price liabilities.

When he had previously introduced a Bill on the matter, the Minister for Agriculture argued that such difficulties were inherent in the Land Commission's processes and beyond resolution by the House. The Minister further contended that the 1923 Land Act did not envisage a two-step process but rather a single operation, wherein holdings were vested directly in tenants without an intermediate step. However, he disagreed with this interpretation. He maintained that the Act clearly stated a two-stage process: first vesting the holdings in the Land Commission and then granting tenants the full reduction

immediately, followed by applying all subsequent payments toward purchasing their holdings. His objective remained to ensure that, if necessary, a two-step process was implemented to achieve this goal.

In response to Derrig, Patrick J. Hogan TD, still the senior Agricultural Minister, insisted that such was the existing position.

Meanwhile, Denis Gorey TD, former leader of the Pro-Treaty-ite Farmers' Party, and now a member of Cumann na nGaedhael, said that the Bill aimed to address specific difficulties related to expediting the vesting process, and he saw no reason for its postponement pending further action. While multiple challenges existed, this Bill sought to eliminate one of them. He acknowledged that other difficulties remained but argued that such measures were necessary to navigate those issues. He questioned why the amendment in question should not be supported.

Previously, in cases involving non-judicial tenancies, the Land Commission was required to send an examiner to assess security in every instance. Even when a tenant was taking their case to court, the Land Commission still had to dispatch an inspector to verify that the security was adequate. The proposal sought to eliminate that requirement, ensuring that an inspector would only be sent if either the tenant or the landlord refused to agree on a price and applied for an inspection. This change would significantly reduce the need for inspections—by approximately 60 to 65 percent—since the majority of estates under the 1923 Act were large estates rather than isolated leasehold properties. Many of these estates contained numerous non-judicial tenancies that previously required examination. This amendment, he stated, aimed to remove that obligation.

He expressed confusion over Deputy Derrig's objection, as well as the rationale behind suggesting a fixed date for certain actions. In his view, imposing deadlines introduced additional obstacles that needed to be resolved before progress could be made. Issues such as title, survey, and registration posed potential delays, and he argued that it was possible to propose that some or all of these requirements be waived to facilitate the process.

When Derrig asked Gorey what has the question of title to do with giving the tenant a reduction immediately, Gorey replied by saying that such vesting could only occur once all formalities had been completed. However, he noted that it was possible to decide to dispense with those formalities. If Deputy Derrig were to introduce a Bill proposing the removal of some or all of these requirements, it would provide clarity on the issue, allowing for a debate on whether it was appropriate to waive such formalities or whether doing so would still ensure the tenant's security in their holding.

He criticised the existing scheme for failing to account for the obstacles in the process. While refraining from making personal remarks, he acknowledged his own position as a tenant with a personal interest in the matter. Nonetheless, he argued that as long as these procedural requirements remained, there were only two options: either comply with them or pass legislation to eliminate them.

The debate became heated, with Gorey becoming irritated with the Fianna Fáil (FF) deputies. When an FF TD (who is not named on the record) sarcastically said to him "surely you ought to have a suggestion as to how to do it," Gorey questioned whether it was the privilege of the Opposition to be devoid of intelligence. He acknowledged that the task could be accomplished if the surveying and engineering staffs were increased four or five times over. While uncertain about the feasibility, he suggested that such an expansion might be advisable regardless of the cost. He further speculated that the staff handling registration could either be expanded or eliminated altogether. Admitting that he was not a legal expert but possessed a degree of common sense, he remarked that he was unsure whether it would be beneficial to do away with the legal profession entirely. Based on his own experiences, he expressed a strong opinion that lawyers were nothing more than exploitative opportunists.

Following these remarks, Fianna Fáil's Patrick J. Little claimed that Gorey had an "illegal mind," to which Gorey replied:

> *"I think the right cure for them would be to tie them around a bomb and just put a fuse to it, and then try to get a new class in the legal profession."*

Sean MacEntee, also of FF, then humorously quipped that Jasper Travers Wolfe (a TD for Cork West, and a practising solicitor) was "getting nervous."

In response, Gorey said that he did not believe that Deputy Wolfe had any involvement in the matter. Addressing remarks about rack-rents, he expressed confusion over how such an argument could be made, as the 1923 Act clearly stipulated that the rent payable on the gale day prior to the Act's passage—the net rent—would be recorded in the lease or legal document as the registered rent. The landlord was required to accept whatever rent had been agreed upon between landlord and tenant, presumably within a period of three years. He was certain that this was intended as the basis for rental calculations, from which all deductions, including payments in lieu of rent and annuities, were to be made.

Given the existing regulations and required formalities, he saw no valid reason to oppose the Bill, merely because it sought to eliminate one or two difficulties. If additional difficulties existed, he believed it was their responsibility to resolve them entirely. Referring to Deputy Derrig's claim that these issues were capable of resolution, he questioned what was meant by that assertion. He noted that Derrig had not, in his view, demonstrated any concrete solutions, aside from offering a vague opinion that a specific date should be set without addressing or removing the obstacles.

He stressed that judicial commissioners and officials involved in land legislation must consider the opinion of the Dáil and the intentions of those who passed the Acts, particularly the principle that all land purchases should be based on judicial value. He criticised certain decisions that had been made using wartime valuations, arguing that these were artificial figures with no relevance to the future, just as they had little connection to pre-war conditions. He acknowledged that the Land Commission had, at times, been pressured by misguided public

demands into paying inflated, wartime prices for land, even against its better judgment. He insisted that such practices must be avoided and made it clear that he would not support any measure that strayed from judicial value.

When William Davin, a Labour TD for for Leix-Offaly asked if judicial value "was always sound and economic," Gorey suggested that it had always been generally accepted that every Land Act, from the first one onward, was based on judicial value. Reductions had consistently been determined by first, second, and third-term judicial rents, and this principle had never been questioned.

Wolfe would become involved. He stated that Deputy Derrig suggested that vesting and registration should be treated as separate processes, which they already were. However, he failed to acknowledge that a reduction could not be granted until the land was vested. Before vesting land in another person, it was essential to first establish ownership through an investigation of title, determining from whom the land was being transferred. There was no conceivable legal or moral process by which land could be taken from one person without due notice or proper legal proceedings. Furthermore, the purchase price had to be established before vesting could take place, as the annuity depended on the purchase money.

Wolfe said that Deputy Derrig had acknowledged that Section 2 of the Bill significantly advanced the position of non-judicial tenants. Given that fact, it was unclear why the Bill was being opposed, particularly by those claiming to support non-judicial tenants. The opposition's stance appeared contradictory: they accepted that the Bill was beneficial but still sought to reject it and introduce amendments that would only delay progress.

He questioned whether common sense had any place in the opposition's approach, as they seemed intent on voting against the Bill despite its clear advantages for non-judicial tenants. If they intended to oppose it, they should do so openly and acknowledge that they were acting against the interests of non-judicial tenants.

Reflecting on previous discussions, he had expected the Opposition to have gained a clearer understanding of land purchase calculations. Yet, Deputy Derrig's method of calculation was flawed. If 1,000 cases were in progress and 100 had been completed in five years, Derrig assumed it would take 45 years to complete the remainder, ignoring the fact that many of the remaining cases could be near completion. Such a method of calculation was misleading and designed to create the impression of inefficiency. He dismissed this argument as baseless, suggesting that even the Opposition did not genuinely believe in it. It was absurd to claim that vesting would take 84 years for non-judicial holdings and 70 years for judicial holdings based on such faulty reasoning.

At this point, Dr. James Ryan, a Fianna Fáil TD (and future Minister), remarked "wait and we will see who is right." On this, Wolfe said that Deputy Derrig surely did not believe his own claims, yet he continued to put forth misleading arguments. Why attempt to mislead the public with such baseless assertions? The farmers of Ireland were not fools; they could see through calculations designed purely for political propaganda. Such arguments, like the campaign for the abolition of land annuities, were intended only to deceive farmers into believing what was clearly untrue.

He urged all members of the House who cared about land purchase to support the Bill. While he rarely praised government departments, he commended the draftsman of Section 2 for crafting a provision that would significantly streamline land purchase, particularly for non-judicial tenants. In his view, the section directly addressed a major difficulty and would considerably speed up the process.

Deputy Little, Wolfe believed, had presented the only argument that might carry some weight. However, even that argument—suggesting that the Bill would interfere with litigation—was questionable. Deputy Little feared that tenants and landlords would be less inclined to pursue litigation and would instead accept the process as outlined in the Bill. He acknowledged that this would expedite land purchase and eliminate decades of legal disputes between unreasonable landlords and tenants.

If that was the most serious objection to the Bill, then it was, in fact, further proof of its merit. Rather than being a drawback, the reduction of unnecessary litigation was a clear advantage.

The Fianna Fáil Deputy, Martin Corry, who was a farmer, stated that Deputy Derrig's amendment called for the Dáil to halt the progress of the Bill until the Government presented proposals to amend the 1923 Act and make land vesting more efficient. However, no clear timeline was suggested for when the land would be vested—whether in five, ten, or even eighty-five years. The debate reminded him of a previous comment by the Parliamentary Secretary, suggesting that permanent officials should not be interfered with.

Section 3 of the Bill, which dealt with fishing rights, left the situation largely unchanged. The unfortunate tenants, particularly those affected by the division of fishing rights, remained in limbo. Some tenants, despite being on opposite sides of a river, were treated unequally based on whether they had fishing rights. He expressed his strong desire to end the issue of landlords holding all the fishing rights, as this had caused extensive harm to tenants.

He hoped that amendments would be introduced to resolve this matter, but he expressed concern that the Bill did not provide solutions to expedite the vesting of holdings. If the Bill were to pass, he urged that it be carefully reviewed and amended to protect the tenants' rights. The Parliamentary Secretary, he noted, was already familiar with specific cases where tenants were being harmed by landlords who refused to sell unless they received the fishing rights.

Corry suggested that, based on the knowledge gained from examining the failures of the 1923 and 1927 Acts, the Government should be able to produce a new Bill that would complete the process of land purchase and vesting. With that in place, tenants would no longer be paying interest on rent but payments towards purchasing their land. By fixing the issues in the current legislation, he argued, tenants would stop losing a staggering £90,000 annually due to the delay in land vesting.

The solution seemed clear, and he believed it could be easily achieved.

B.J. Maguire TD argued that the provisions of the Bill were too narrow and did not include all the elements they considered reasonable. The opposition was not because the Bill contained good elements, but because it lacked certain key aspects necessary to make it more effective. They suggested that for the Bill to be truly useful to the community, it needed to be broader in scope. Specifically, they highlighted the absence of a clause that would address essential provisions and the fixing of prices, which they believed were critical. Maguire also pointed out that there was no mention of important infrastructure like bog roads, a provision that had been included in previous Bills. They noted that farmers who had rushed into agreements expecting positive outcomes had instead been let down due to these omissions.

Roddy responded to Deputy Derrig's criticism of the Bill, clarifying that the criticism was not aimed directly at the Bill itself but rather at previous Land Acts from 1923 and 1927. Deputy Derrig had argued that the 35% reduction in Section 2 of the Bill was insufficient for non-judicial tenants and was based on calculations involving only a small portion (5%) of such cases. The speaker explained that the 35% figure was derived from experience with 12,000 cases, which accounted for around 40% of the non-judicial cases, many of which were difficult cases with high rents. The speaker expressed confidence that the reduction was reasonable and reflected the actual circumstances for non-judicial tenants.

Roddy also addressed Deputy Derrig's concerns about delays in the vesting of tenanted land under the 1923 Act. They explained that progress had been hindered initially due to compounded arrears of rent, but the 1927 Land Act allowed these arrears to be added to the purchase money, which led to a significant acceleration in vesting. In just over a year since this change, about 8,000 holdings had been vested. The speaker emphasised that the rate of vesting was increasing month by month, and the Bill would further speed up the process, especially for non-judicial holdings, by eliminating the need for inspections and saving the state around £120,000.

Roddy disagreed with Deputy Derrig's suggestion of a general appointed day for the vesting of all land. They argued that such a plan was impractical, pointing to the example of the Northern Ireland Land Commission, which had to amend their approach after introducing a general appointed day. Roddy had stated that a separate appointed day for each estate was necessary, due to the varying conditions of each estate, such as issues with turbary, mountain grazing, and drainage maintenance, which had to be resolved before vesting could occur.

Now, Eamon de Valera TD, leader of the Opposition and Fianna Fáil, would become involved. De Valera goes on to address the Parliamentary Secretary, asking for clarification on a specific issue related to tenant payments and the redemption of advances. He expresses that, despite following the Parliamentary Secretary's explanations, they remain unconvinced and seek a more satisfactory answer. To him, primary concern was whether it was possible for the tenant's annual payments, whether as rent or annuity, to be applied towards the redemption of the money advanced for purchasing the land.

De Valera also questions why, if it is feasible to determine a standard purchase annuity under Section 2 of the Bill, it is not also possible to ensure that these payments contribute to the redemption of the advances made. Additionally, he asks whether it is possible to consider the tenant to have entered into a purchase contract as of a specific date. De Valera called for a thorough explanation from the Parliamentary Secretary, suggesting that if such a provision cannot be drafted, they would be satisfied, but without this, they will remain in their current position.

While acknowledging that the process of final vesting may take time and involve difficulties, de Valera argued that the Land Commission did not delay taking money from the current occupier or determining if the landlord is entitled to it. They suggested that, while adjustments may be necessary, these difficulties should not prevent the establishment of a timeline for when the standard annuity should be paid. Furthermore, they proposed that a "sinking fund" could be established to address

the eventual payoff of the sums advanced. Roddy asserted that landlord's title didn't result in a delay, as, usually, the charges attaching to the estate were transferred to the purchase money.

When Patrick J. Little asked if the government would accept an amendment to the Bill's title, W.T. Cosgrave TD, then President of the Irish Free State's Executive Council, firmly replied that they wouldn't.[94]

Following the onset of the Great Depression in early 1930, the farming sector would be thrown into chaos. Increasing financial pressures, such as the collapse in agricultural commodity prices, had made the payment of land annuities a growing problem for leading farmers' organisations.[95] Farm repossessions and associated social misery amongst rural and farming families, primarily caused by insurmountable financial obligations, had spurred an impassioned debate on the land question and that of the financial system by various political stripes.[96]

A fresh Land Bill was introduced in November 1930, again by Martin Roddy, a Cumann na nGaedheal TD for Co. Sligo, and then Parliamentary Secretary to the Minister for Lands and Fisheries. Leave was given to introduce a:

> *"Bill entitled an Act to make provision for the early vesting of holdings in the purchasers thereof under the Land Purchase Acts and for that and other purposes to amend those Acts and the Local Registration of Title (Ireland) Act, 1891, and also to make provision in respect of the variation of certain tithe rent charges and variable rents."*[97]

---

[94] *'Dáil Éireann Debate - Thursday, 4 Jul 1929' (Oireachtas.ie1929)*

[95] *Tadgh Quill-Manley, Til the Cows Come Home: A History of the Cork Farmers Union (2024).*

[96] *Tadgh Quill-Manley, Credit Where It's Due: The Money Debate in 1930s Ireland (2022).*

[97] *'Dáil Éireann Debate - Wednesday, 26 Nov 1930' (Oireachtas.ie1930)*

The Bill that would become the Land Act 1931 a few days later was debated for amendments on 24 April 1931. Among the several amendments proposed, Roddy moved that:

> *"Section 15, sub-section (1). Paragraph (d) deleted and a new paragraph substituted therefor as follows:—*
> *(d) save where the portion of such holding which is so sublet is held by the sub-tenant thereof under a judicial tenancy and is substantially agricultural or pastoral or partly agricultural and partly pastoral, the Land Commission may, if in their opinion such portion is of such character that it ought not to be declared under this section to be a separate holding, treat the said holding (notwithstanding anything contained in this section) as if the said portion thereof were in the occupation of the tenant of the said holding and were not sublet."*

He explained that the purpose of this amendment was to ensure that a judicial sub-tenancy would be recognised as a tenancy covered by the Act of 1923, provided it was primarily agricultural, pastoral, or a combination of both. It was reasonable to expect, he believed, that Deputies would agree that any sub-tenant who had a judicial rent fixed should be included under the provisions of the 1923 Act. This amendment was expected to extend coverage to all sub-tenants across the country, whose holdings were predominantly agricultural or pastoral in nature.

Fianna Fáil's Thomas Derrig TD claimed that he understood from the Parliamentary Secretary that this amendment, which represented an improvement on the original section of the Bill, aimed to clearly and explicitly include a category of judicial tenants who had previously been excluded from the provisions of the Land Act. These tenants were subtenants who, despite having judicial rents fixed on their holdings, had not been covered under the Act until now. Since the amendment rectified this oversight and ensured their inclusion in the Bill, he and his colleagues were prepared to accept it.
Roddy also moved that:

> *"Section 30. Before sub-section (6), a new sub-section inserted as follows:—*

(6) An appeal on questions of fact, as well as on questions of law, shall lie to the Supreme Court from any order made by the Judicial Commissioner under this section."

He explained to those present that this was primarily a drafting amendment, ensuring that appeals on both questions of fact and questions of law could be brought before the Supreme Court regarding any order issued by the Judicial Commissioner under the section amending vesting orders. While it was already established that appeals on legal questions were permitted, legal experts within the Land Commission believed that appeals on factual matters were also implicitly allowed. However, to remove any uncertainty, he considered it prudent to accept the amendment. He noted that distinguishing between factual and legal questions was extremely difficult, as they were often closely intertwined, making separation impractical. For this reason, this particular section of the Bill stood apart from the others.

The next amendment was:

"Section 32, sub-section (1). The words "the appointed day" deleted in lines 61-62 and the following words substituted therefore, whichever of the following is the later, that is to say:—
(a) the appointed day, or
(b) the making of the order or the publication of the list by or in which the appointed day is fixed."

His attention had been drawn by a member of the Dáil to Section 32, which set the date for converting real estate into personal estate differently from the appointed day. It had been pointed out that establishing the appointed day as a date earlier than the publication of the list of vested holdings could create difficulties for vendors. There was a possibility that a vendor might pass away in the period between the appointed day and the publication date, potentially causing significant complications for their heirs or successors in proving their entitlement to the property left behind. As this was purely a legal matter, the amendment had been introduced at the request of members of the legal profession.

One amendment that raised discussion was the following, proposed by Roddy:

> *"Section 40, sub-section (1). After the word "interruption" in line 42 the words "or objection made" inserted."*

He explained that the section was intended to protect individuals who had been peacefully exercising grazing rights. Under existing law, such rights were confirmed if they had been continuously enjoyed for a period of twenty years. Until the Bill was enacted, that legal requirement would remain in place. According to the current law, these rights had to be exercised openly, peacefully, and without interruption. However, under this section, rights would be confirmed after only eight years of use, as of the passing of the 1923 Act. Previously, claimants had to demonstrate uninterrupted possession for twenty years before their rights were recognised.

During this time, the landowner might not have been able, for various reasons, to prevent such use, despite having the legal right to do so. The term "interruption," as used in this section, referred to an owner actively stopping someone from exercising a right. There were instances where landowners had been unable to prevent individuals from using grazing or turbary rights—perhaps due to absence or other constraints—or may have attempted legal action. Without this section, a landowner would still have had twelve additional years to pursue legal proceedings, representing the difference between the original twenty-year requirement and the new eight-year provision.

He emphasised that if a formal objection had been made, those rights should not be claimed. When first introduced, the section was never intended to benefit individuals who had unlawfully seized grazing or turbary rights by force, excluding those with legitimate claims. Such incidents had occurred frequently across the country. Based on his experience with the Land Commission over the past three years, he had encountered numerous cases where one tenant had unlawfully taken over a grazing or turbary easement that rightfully belonged to an adjoining tenant, as intended by the landlord. This form of trespass did not only harm landlords but also affected other tenants with legitimate

grazing and turbary rights, particularly in relation to mountain grazing and boglands. Those with rightful claims needed protection from unlawful, and sometimes forceful, encroachments.

He asserted that the amendment would be beneficial to tenants just as much as to landowners. Across the country, many tenants were making use of grazing and turbary rights to which they were not actually entitled, contrary to the intentions of the landlords. This amendment would provide the Land Commission with the authority to correct such situations. He noted that such disputes were widespread and required resolution. The phrase "objection made" had been included solely for this purpose. It did not refer to an arbitrary or personal objection but required a formal, definitive action to stop the use of a right before it could be considered a valid objection. Ultimately, the courts would decide whether sufficient steps had been taken to constitute an objection.

He concluded that the amendment was reasonable and, in many ways, served the interests of tenants more than those of landowners. For this reason, he urged the Dáil to support its adoption.

Derrig replied by saying that this amendment required closer examination. It had originated from a proposal by Deputy Geoghegan, which aimed to confirm tenants in their possession of grazing or turbary rights if they had enjoyed them since before the passage of the 1923 Land Act. The Parliamentary Secretary, he acknowledged, had engaged fairly on the matter, and had introduced a special section with four sub-sections to address it.

Within that section, it was specified that if a tenant of a holding covered by the 1923 Land Act had openly exercised grazing or turbary rights on their landlord's land without lawful interruption since before the Act's passage, the Land Commission could, upon the tenant's application and after considering all relevant circumstances, declare those rights to be officially attached to the holding. This recognition would be

subject to any conditions or limitations the Land Commission deemed appropriate.

He argued that the purpose of the amendment appeared to be to restrict tenants' rights. Under the Bill's original wording, tenants who had continuously enjoyed grazing or turbary rights without lawful interruption since before the 1923 Act would have been entitled to have those rights legally attached to their holdings. However, under the amendment, if another party came forward claiming competing rights and asserting that they had made an objection—without even specifying the nature of that objection—the tenants' rights, which had been intended for protection, would be placed at risk.

Derrig criticised this specific amendment as overly vague, particularly the inclusion of the phrase "or objection made." He questioned what constituted an objection in this context—whether it needed to be a formal legal objection or whether any form of informal challenge would suffice. Furthermore, he inquired whether a legal process would be required to validate such objections, expressing concern that the amendment's lack of clarity could undermine the protections originally intended for the tenants.

However, Roddy stated that he had already explained the meaning of an objection. The owner was required to make a formal objection by taking a clear and definitive action to attempt to prevent the use of the right before it could be considered a valid objection. The specific nature of the objection would need to be assessed later by the Land Commission, which would have the authority to determine whether it fell within the scope of this section.

When Frank Fahy, also a Fianna Fáil deputy (from Galway), asked Roddy if a tenant should provide proof of having made an objection, Roddy noted that they ought to, because this amendment was primarily in the interest of the tenant, rather than the owner. There were numerous cases where tenants were exercising easements, such as turbary and grazing rights, that actually belonged to other tenants, as intended by the landlords. In fact, the Land Commission often had to resolve disputes of

this nature between tenants over turbary and grazing rights, which were common conflicts. In his view, and in the view of his legal advisers, the amendment did not undermine the effectiveness of the section. Rather, it helped clarify, to some extent, the meaning of the term "lawful interruption."[98]

By way of issuing a list of vested holdings pursuant to the rectification of errors and omissions as may be subsequently determined necessary, the Land Commission was able to vest under the Land Act of 1931. The subsequent acquisition commitment for the purchase of the property at an ordinary cost was assumed to have been entered into by each tenant of the plots of land in a publicised list on the designated day. The vesting of holdings in purchasers was accomplished through vesting orders. Subsequent to the examination and evaluation of disputes, this unfolded. The 1931 Act enabled the identification and distribution of purchase money.[99]

A few years later, in response to the passing of the Irish Free State's Land Act 1931, then Secretary of State for Dominion Affairs, John Henry Thomas (an MP of the UK 'National Labour' coalition front) was asked by John Joseph Stourton (a Conservative MP for Salford South) on 7 May 1935 if he was in a position to make a declaration as to the standing of bondholders under the Irish Free State Land Act, 1931.

To this, Thomas replied that, as far as he understood it, following the vesting of tenanted land estates in the Land Commission under the Irish Free State Land Act of 1931, a total of approximately £13,900,000 in 4½ per cent bonds had been issued. Over roughly three working years, the Judicial Commissioner had allocated £6,400,000 in purchase funds, leaving a remaining £7,500,000 yet to be distributed. Under Section 36 of the Act, the Judicial Commissioner had the authority, upon request from interested parties, to order the payment of dividends accrued on these Land Bonds. Interest had been paid promptly to all individuals who had applied and

---

[98] *'Dáil Éireann Debate - Friday, 24 Apr 1931' (Oireachtas.ie1931)*

[99] *'Land Purchase Post-1922' (Legalblog.ie)*

received approval from the Judicial Commissioner, with no outstanding arrears. However, a sum of £76,571 in interest remained unclaimed under Section 36 and was held in credit for various estates. The entitled parties simply needed to submit the required application to the Judicial Commissioner, who was responsible under the Act for issuing orders for the payment of these dividends to the appropriate recipients.[100]

On 28 June 1933, Deputy Frank Aiken, now Minister for Land & Fisheries in the Fianna Fáil government, introduced the Land Bill 1933. Leave was granted to:

> *"introduce a Bill entitled an Act to amend generally the law, finance, and practice relating to land purchase, and in particular to make further and better provision for the execution of the functions of the judicial and lay Commissioners of the Land Commission and to provide for the revision of purchase annuities and certain other annual payments and for the funding of arrears thereof, and to provide for other matters connected with the matters aforesaid."*

Aiken only offered a few days for deputies to read the contents of the entire Bill, which possessed 49 sections. Martin Roddy, a former junior minister, and Fine Gael deputy for Co. Sligo, claimed that, judging by its title, the Bill appeared to be far more extensive in scope than the Bill introduced in 1931. When the Fianna Fáil party had been in Opposition, he claimed, they had firmly demanded a two-week interval between the Bill's introduction and its Second Reading to allow sufficient time for thorough review. Given the radical nature of the Bill he was about to present, the Minister should, at the very least, have granted Deputies a similar period to familiarise themselves with its various provisions. It was evident that understanding its contents would require no less than a fortnight, and, he suggested, the Minister was fully aware of this fact. Furthermore, Roddy claimed that the Bill of 1931 had been met with far greater urgency, yet a two-week period had still been granted for its review.[101]

---

[100] *'Irish Free State Land Act, 1931 - Hansard - UK Parliament' (Parliament.uk1935)*

[101] *'Dáil Éireann Debate - Wednesday, 28 Jun 1933' (Oireachtas.ie1933)*

Sean MacEntee, the Minister for Finance, introduced a new Bill, which would become the Land Bond Act 1934. He explained that it provided for the creation and issue of further land bonds to facilitate the acquisition of untenanted land under the Land Acts 1923-1933. It also enabled the resumption of holdings and the compulsory acquisition of land for sports fields, playgrounds, and similar purposes. Additionally, the Bill allowed for the acquisition of certain sporting rights. He noted that the total issue of land bonds under the Act was limited to £10,000,000, with bonds created as required by ministerial order. Each order would set the interest rate, which was to be no less than 3 per cent. and no more than 4 per cent., determined by reference to the latest National Loan issue and stock market conditions. He explained that, given the more limited market for land bonds compared to National Loan securities, a small increase in the interest rate might be justified.

MacEntee went on to outline the principles underlying land valuation. He noted that under the Land Act 1923, in cases where no agreement was reached, the Land Commission or the judicial commissioner determined the price of untenanted land. He explained that this valuation considered both its resale potential to allottees and its worth to the owner. He acknowledged that while tenanted land was somewhat simpler to assess due to its more stable income—particularly for holdings with judicial rents—historical factors such as rent arrears and economic fluctuations had to be taken into account. Regardless of classification, MacEntee assured that land acquired by the Land Commission would be purchased at a fair price, with the Bill ensuring that payments were made equitably.

He further explained that an equitable price depended on the land bond interest rate aligning with the National Loan yield at the time of valuation. This, he stated, would allow vendors to sell their bonds for an amount comparable to a cash sale. If they retained the bonds, the interest earned would at least match the income from trustee investments, had the purchase money been paid in cash. MacEntee emphasised that the intention was to ensure vendors were treated fairly by setting the bond interest rate at a level that would allow them to be quoted near par value.

Discussing the specific provisions of the Bill, MacEntee highlighted that Section 2 stipulated that future purchase payments would be made in land bonds, except where governed by previous Acts. He reminded the House that the Land Bonds Act, introduced the previous year, had authorised £1,000,000 in bonds to complete pending transactions under earlier Land Acts. However, he clarified that this Bill would not compel vendors to accept bonds issued under it for agreements made under previous legislation. Furthermore, he noted that any claims against purchase money had to be settled using bonds from the same series.

Turning to Section 3, MacEntee explained that it provided for advances to tenants for land purchase, which would be repayable through annuities or lump-sum redemption. He outlined that Section 4 empowered the Minister for Finance to create and issue land bonds, specifying the total amount, denominations, and interest rates, which had to fall within the 3 to 4 percent range. He also noted that bonds from different series could be consolidated if they carried the same interest rate.

He continued by summarising Section 5, which dealt with the issue of land bonds, and Section 6, which placed a £10,000,000 cap on their total amount. MacEntee stated that, according to Land Commission estimates, approximately £4,500,000 would be required for the purchase of untenanted land and another £4,500,000 for resumed holdings and compulsory acquisitions. He highlighted that land bonds issued for agreements made before 31st December 1935 carried a fixed 4 per cent. interest rate.

On the matter of bond redemption, MacEntee explained that Section 7 provided for interest payments and redemption, following similar provisions in the Land Bond Acts of 1925 and 1933. Interest, he noted, would be paid half-yearly, and periodic drawings would ensure bond redemption. He further explained that bonds transferred by the judicial commissioner in redemption of annuities had to be repaid within 30 years, after which any outstanding bonds could be redeemed at par. Importantly, he pointed out that if the Land Bond Fund was

unable to meet its obligations, payments were secured by the Central Fund, with reimbursement from the Guarantee Fund when possible.

MacEntee emphasised that land bonds issued under this Bill were backed in three ways: by the land itself, the Guarantee Fund, and ultimately, the Central Fund. He also drew attention to other sections that ensured financial oversight, proper accounting, and ministerial authority to regulate and adapt provisions from previous Acts as needed. In closing, he stressed the urgency of the Bill, explaining that many land transactions had been delayed awaiting its passage. He urged the House to facilitate its approval so that it could proceed to the Seanad and become law before the close of the financial year.[102]

At a later discussion at committee stage, not long prior to the Bill's enactment, Henry Seymour Guinness asked why a decision was made to set a fixed interest rate of 4 per cent., arguing that the Government should not dictate the rate in advance. Instead, he suggested that the bonds should be issued first, with their price determined by market conditions. He explained that this approach would allow the bonds to be priced with ease, ensuring stability without disrupting the market.

Guinness warned that if the bonds were issued at pre-set interest rates, rather than letting the market determine their value, it would create unnecessary confusion. He stressed that flexibility in pricing was essential to prevent instability and to ensure the smooth functioning of land bond transactions.

MacEntee replied that the National Loan was available at several rates of interest. He noted that the aim was not to make an independent issue of land bonds, but rather to make an order under which a substantial block of bonds would be issued. He provided the example of the bonds issued up to December 1931, suggesting that there could be £3,000,000 of those—though the amount could vary. MacEntee clarified that this could be followed by a further block of new land bonds, creating a second series after December 1931. He further elucidated that the

---

[102] *'Dáil Éireann Debate - Friday, 9 Mar 1934' (Oireachtas.ie1934)*

power to consolidate any issue was taken to ensure that the bonds would be more marketable.[103]

Discussing the impact of measures, up to the passing of the Land Bond Act 1934, Nathan Foley-Fisher and Eoin McLaughlin, writing in a 2014 paper published by Queen's University Belfast, devised a study centred on land bonds that were under-written by the UK government, initially encompassing 'southern Ireland', and later by the Irish government following independence. These financial instruments facilitated land reform in Ireland under multiple Land Acts spanning from 1890 to 1934. By examining the structural divergences between land bonds backed by the UK and those guaranteed by Ireland, the study evaluated the credibility of UK guarantees post-independence.

The researchers gauged the reliability of the UK government's commitment, by analysing the yield spread of land bonds relative to benchmark long-term UK government bonds. These spreads were determined based on prevailing yields, which were calculated as a weighted average of individual yields proportional to the nominal amounts outstanding. The yield behaviour of land bonds primarily reflected sovereign risk, as evidenced by their classification alongside sovereign and colonial bonds in contemporary stock exchanges. This characteristic had distinguished them from quasi-governmental debt linked to utilities and infrastructure projects, which were listed separately as municipal or corporate bonds.

The existence of the gold standard and an effectively unified currency between the UK and the Irish Free State mitigated concerns regarding inflation and exchange rate volatility. At the time of the Anglo-Irish Treaty, only land bonds backed by the UK government were actively traded. The findings aligned with the hypothesis that investors perceived an elevated risk of farmer default during the Anglo-Irish War, particularly given that any UK enforcement of annuity payments might have exacerbated the conflict. However, even after the treaty's ratification, the spread on UK-backed land bonds remained positive, suggesting

---

[103] *'Seanad Éireann Debate - Thursday, 22 Mar 1934' (Oireachtas.ie1934)*

that lingering uncertainties persisted regarding the UK guarantee's reliability in comparison to other long-term UK government obligations. Furthermore, the treaty superseded provisions in the 1920 Government of Ireland Act, which had sought to nullify land bond repayments.

They also explain that, following independence, the nascent Irish Free State inherited four primary debt obligations: 'Irish Republic' bond-certificates (issued to finance the War of Independence), land bonds, a share of the UK public debt, and new domestic issuances. Section 5 of the Irish Free State (Agreement) Act 1922[104] stipulated Ireland's liability for a proportion of the UK's public debt. However, under the Confirmation of Agreement Act 1925,[105] [106] this obligation was rescinded—widely interpreted as compensation for Ireland's acceptance of the island's permanent partition, leaving six counties within Northern Ireland. The guarantees extended by both the Irish and UK governments enhanced investor confidence in land bonds, as bondholders were assured of state intervention in the event of farmer defaults on annuity payments. This credit support allowed the bonds to be treated as sovereign debt, as reflected in their inclusion within the UK sovereign debt section of stock market reports, separate from the colonial, foreign government, and quasi-state corporate bonds.

The study adopted the market's historical approach by treating land bonds as de facto sovereign debt, attributing yield differentials between government securities and land bonds to investors' perceptions of government guarantees. This guarantee proved advantageous for tenant farmers, enabling them to access substantial credit at relatively low costs. By acting as an intermediary between farmers and capital markets, the government facilitated borrowing at reduced interest rates and longer maturities compared to private lending sources. Consequently, farmers capitalised on these favourable terms,

---

[104] *'Irish Free State (Agreement) Act' (1922)*

[105] *'Ireland (Confirmation of Agreement) Act 1925' (Legislation.gov.uk1925)*

[106] *'Treaty (Confirmation of Amending Agreement) Act, 1925' (Irishstatutebook.ie1925).*

leading to significant borrowing. By the time of independence in 1921, the total outstanding nominal value of land bonds approached £60 million, escalating to nearly £80 million by the end of the study's timeframe.

In response to the Irish default of 1932, the UK government directed its Treasury to uphold interest and principal payments, ensuring bondholders incurred no losses. Predictably, this action resulted in a contraction of the spread on UK-backed land bonds during 1932, whereas no similar decline was observed for Irish-backed land bonds. This outcome indicated that once the UK government demonstrated its commitment to honouring its guarantee, the associated risk premium diminished, ultimately reducing the spread on UK-backed land bonds to near zero.

The Irish narrative within the Commonwealth is notably intriguing when contrasted with the concurrent situation of Newfoundland, which defaulted on its commitments in 1932. Newfoundland, unlike Ireland, exhibited fiscal profligacy with an escalating debt. The remaining debt for both entities was comparable, with the Irish Free State accountable for around £80 million in land bonds; however, the debt-to-revenue ratio was somewhat over 11 in Newfoundland, in contrast to roughly 3 in Ireland. Confronted with such a substantial cost, a Newfoundland default became probable once it was compelled to borrow to meet interest obligations.

Despite the parallels between Newfoundland and Ireland, the UK government's responses to their respective default possibilities were markedly different and diverged. MacKay characterised the UK reaction to Newfoundland's impending debt by stating that default would be detestable and may undermine the credit of various UK Dominions. Newfoundland was compelled to seek assistance from the UK on the understanding that it voluntarily returned to the position of a royal colony and relinquished its position as a self-governing Dominion under the Statute of Westminster. Conversely, the UK's response to the Irish default was not to re-establish Ireland as a colony, instead choosing to implement economic penalties via tariffs on Ireland's primary exports to the UK.

What prompted the UK government to adopt varying responses in the several default scenarios? A clear distinction was that the Irish Free State had not failed on its sovereign duties. The Irish Free State failed on an inter-governmental arrangement concerning obligations that before its establishment, allowing the Irish government to characterise them as odious. In Newfoundland's situation, the obligations, although guaranteed by the UK, were committed by the Dominion's government and hence could not be deemed odious. The default on such a substantial debt indicated the financial instability of the Dominion. The UK government had also leveraged Newfoundland's desperation for a rescue, ultimately compelling it to enter into union with Canada.

They also noted that contemporary sovereign governments with areas considering independence should be aware that any ambiguity surrounding the allocation of fiscal responsibilities may endure until the operational details of the frameworks are sufficiently evidenced to market players. In light of ongoing uncertainty, market investors are likely to anticipate a yield premium as compensation. Consequently, ambiguity over fiscal accountability may elevate borrowing costs for an extended period after separation. This is one of the main lessons of the story of the Irish land bonds that possesses an ongoing global relevance.[107]

The Land Act 1939 would signify another great milestone in land reform at the turn of the 1940s. The Bill for such was first introduced in 1938. It was an Act to amend and expand various provisions of the Land Purchase Acts and to modify the application of the Increase of Rent and Mortgage Interest (Restrictions) Acts, 1923 to 1930, with regard to dwelling-houses, where the Land Commission acts as the landlord.[108] When Minister Gerald Boland introduced the Bill for its Second Reading in June 1939, he explained that the primary motivation behind the legislation was to address legal obstacles that had

---

[107] *Nathan Foley-Fisher and Eoin McLaughlin, 'State Dissolution, Sovereign Debt & Default: Lessons from the UK & Ireland' (QUB2014)*

[108] *'Land Act, 1939' (Irishstatutebook.ie1939)*

slowed the work of the Land Commission. Two judicial decisions, he claimed, had highlighted ambiguities in previous Land Acts, particularly regarding the Commission's power to acquire and redistribute land.

The first case involved Thomas E. Potterton, who challenged the Land Commission's attempt to resume his holding. The courts ruled that there was a contradiction between two sections of the Land Act, 1933, regarding which body had the authority to order resumption. The Supreme Court further decided that any notice of resumption had to specify the legal grounds and purpose, and that the certificate of the Lay Commissioners must be as precise as regular legal evidence. The second case involved Mrs. K.M. Maher, who objected to the acquisition of untenanted land. The courts ruled that all six Lay Commissioners had to sign the acquisition certificate, not just two as had been the practice. This ruling effectively halted compulsory land acquisitions. To address these legal hurdles, the Bill sought to clarify the Land Commission's powers and remove legislative ambiguities. Boland outlined key provisions, including:

- Sections 5-7: Ensuring the Land Commission could take possession of dwelling houses on acquired land, prioritising its debt claims, and exempting it from certain registration fees.
- Section 8: Allowing for potential losses on the resale of sporting and other rights.
- Sections 9-12: Revising procedures related to land bonds, including grouping smaller bonds, modifying interest rates, and merging separate Costs Funds to cover legal expenses.
- Section 13: Addressing cases where landowners delayed surrendering possession even after receiving purchase money.
- Section 14: Resolving the issue from the *Maher* case by formally empowering the Minister to determine the number of Lay Commissioners required for decision-making, preventing unnecessary delays.

Boland stressed that these reforms were essential to ensuring the smooth functioning of the Land Commission and the continued redistribution of land.[109]

---

[109] *'Dáil Éireann Debate - Tuesday, 6 Jun 1939' (Oireachtas.ie1939)*

It was fiercely opposed by Sir John Keane Bt., a barrister and longtime Unionist Senator. At the final debate, Sir John Keane moved Amendment No. 2, proposing the addition of the following words to Section 12, subsection (1), at the end of paragraph (b), line 41: "and the cash so paid shall be applied towards payment of costs."

He reminded the House that, during the Committee Stage, there had been considerable discussion regarding costs. He expressed hope that, with a thorough understanding of the matter, both he and the House would have found it easier to appreciate the simplicity of the issue. Keane explained that, at the point when costs were to be apportioned, a detailed schedule was presented to the Judicial Commissioner, outlining the allocation of claims against the purchase money. These claims included those for superior interests, costs, and any remaining balance paid to the vendor. For example, a claim for costs amounting to £150, which had been incurred, taxed, and approved, would have appeared on the schedule. The Judicial Commissioner, in approving the schedule, would have acknowledged that these costs were to be paid. However, the Judicial Commissioner might have decided that only £100 of the £150 should be allowed against the costs fund, with the remaining £50 to be paid by the vendor from the residual purchase money. Previously, the £100 allowed from the costs fund would have been paid in bonds, and the vendor would then have paid the solicitor using these bonds, in addition to the £50 not covered by the costs fund. There had been no issue with the payment of the award in bonds, and payment to the solicitor had been made accordingly.

However, this Bill proposed changes, for reasons unknown to Sir John, though he presumed they were valid. He highlighted that there were three types of bonds in the costs fund, and there were legitimate reasons for no longer making payments in bonds. Nonetheless, his concern was that when an award was made in cash, the solicitor should also have been paid in cash, as this was a matter of fairness. He argued that, unless the amendment was accepted, the result would have been that while the award was made in cash, the vendor would still have had to pay in bonds, which might have been at a premium, resulting in a financial loss

to the vendor. He stated that this was not a matter of common justice and could not see any valid reason for rejecting the amendment. Sir John expressed hope that the Minister would accept the amendment, though he acknowledged that the House would have followed the Minister's lead.

The Minister for Lands, Gerald Boland, stated that he could not dictate to the House but merely present his case. He expressed the view that the House had not yet fully understood the situation. He explained that there were three separate and distinct funds, each corresponding to a different issue of bonds. One of these funds, containing the new 4½ per cent bonds, faced a shortage. Consequently, when the Judicial Commissioner reached the stage of awarding costs, there might not have been sufficient bonds in that particular costs fund to make the payment in bonds. He clarified that the purpose of the section in question was simply to grant the Judicial Commissioner the authority to treat the three costs funds as a single entity. However, since the commissioner could not issue payments in the appropriate bonds due to insufficient cash, he would instead order the payment to the vendor in cash. Boland maintained that this was the sole intent of the provision and could not see any justification for restricting the Judicial Commissioner's discretion in the matter. He emphasised that if bonds were available, the commissioner would make payments entirely in bonds. Alternatively, he had the discretion to pay partly in bonds and partly in cash. Boland insisted that this was purely a matter for the Judicial Commissioner's judgement and expressed his inability to understand the concerns raised by Senator Sir John Keane. He reassured the House that no injustice would result, as the commissioner would exercise discretion in a fair manner.

Boland argued that if there were any doubts regarding the commissioner's impartiality, he might understand the opposition to the provision. However, he was certain that such concerns were not on the Senator's mind. He therefore saw no necessity for the proposed amendment, which, in his view, sought to impose unnecessary constraints on the commissioner's decision-making. Instead, he believed the commissioner should be free to assess each case on its merits, taking into account all relevant circumstances and the accompanying schedule before issuing an

award. If the commissioner deemed it appropriate, he would order payments in bonds. Boland concluded by stating that the matter had already been discussed at length and that he had nothing further to add. He stressed that his stance was not motivated by stubbornness but rather by the belief that the House should not restrict the Judicial Commissioner's discretion in such cases. For that reason, he declined to accept the amendment.

Sir John Keane, in his final opportunity to speak on the amendment, made a last effort to clarify his position. He asserted that the Minister had not yet fully grasped his point. He emphasised that he was not concerned with the medium in which costs were awarded. Contrary to the Minister's belief, he was not attempting to compel the Judicial Commissioner to make payments from the costs fund in bonds. He was fully satisfied that the commissioner could choose to pay either in bonds or in cash, depending on what he deemed appropriate. That, however, was not the issue at hand. Keane argued that once the payment was made in cash, it was a matter of simple justice that the ultimate creditor—the solicitor—should also receive payment in cash. He acknowledged that the Judicial Commissioner had the discretion to determine the payment medium, as the Minister had pointed out. However, he contended that, in this situation, the vendor functioned merely as an intermediary, akin to a post office, through whom the money passed before being handed over. He questioned the logic of paying the vendor in cash while requiring him to satisfy his creditors in bonds. He failed to see the fundamental fairness in such an arrangement, as it would mean the vendor bore the burden of any premium on the bonds.

Keane expressed frustration that the Minister was portraying him as objecting to the internal procedures of the costs fund, when, in fact, he had no such concern. His only issue arose once the award had been made. He maintained that it was deeply unjust for a vendor, having received payment in cash, to then be obligated to transfer the money in bonds, particularly when those bonds might be valued at a premium. Having made his position clear, Keane concluded by stating that he had nothing further to

add. When it was put to a vote, Keane's amendment was defeated.

Keane then moved the next amendment (No. 8):

> *"Where a parcel of land becomes so vested in the Land Commission pursuant to Section 44 of the Land Act, 1931, the arrears of rent payable by the owner in respect of such parcel which accrued due prior and up to the gale day next preceding the date on which the said application is lodged, but not exceeding three years of such arrears and in addition all arrears of such rent which accrued due after such gale day up to, and which are unpaid on, the appointed day, together with an apportioned gale of such rent from the gale day next before the appointed day, shall be compounded by the addition of compounded arrears of rent to the purchase money of such parcel."*

When Sir John Keane moved Amendment No. 8, he reminded the House that the issue had been thoroughly debated during the Committee Stage. He explained that he had previously withdrawn his amendment to address a minor drafting objection, rather than any fundamental issue of principle, and was now reintroducing it at the Report Stage. Despite his earlier amendment not being accepted, he remained determined to persuade the House that the Bill, in its current form, would result in significant injustice to a particular group of people. While acknowledging that this group represented a minority, he argued that justice should not be influenced by numbers. The amendment concerned arrears on head rents and long leases, specifically fee farm grants and long leases. Keane noted that his original Committee Stage amendment had been too broad, as it applied to both Section 22 of the Land Act of 1923 and Section 44 of the Land Act of 1931. He clarified that the amendment now under discussion was limited to Section 44 cases, which dealt with fee farm and long lease tenants. These tenants had not been provided for under the 1923 Act and were first addressed in the 1931 Act. The revised amendment, therefore, included necessary wording changes in sub-section (a) to ensure the first part applied only to the 1923 Act cases, while a separate addition dealt exclusively with Section 44 cases.

Keane urged Senators to keep two key dates in mind: the date of lodgement of the application by the grantee or lessee and the appointed day. He explained that, unlike the 1923 Act, which required automatic submission of particulars for judicial tenants, the 1931 Act left fee farm grant and long lease tenants unaffected unless they actively applied for relief. The date of lodgement marked when the application was submitted, while the appointed day signified the moment when the Land Commission completed inspections, transferred bonds to the estate, and interest began accruing. He noted that a significant period could elapse between these two dates. He outlined how previous legislation had handled arrears. The 1931 Act had ruled that arrears up to the first gale day of 1928 were irrecoverable, allowing landlords to recover only three years' arrears. The 1933 Act extended this approach, making arrears due before the date of lodgement irrecoverable, except for three years preceding that date. If an application was lodged in 1933 and five years' rent was due, only three years were legally recoverable. From that point on, the Land Commission collected payments in lieu of rent—set at 75% of the original rent—whether or not the tenant actually paid.

Keane then identified the injustice he sought to correct, which had emerged with the 1936 Act. Under that Act, only three years of arrears up to the appointed day could be recovered. He provided an example where, if a tenant lodged an application in 1933 with three years' arrears, and the appointed day did not arrive until 1937, seven years' rent would technically be outstanding. However, the 1936 Act limited recoverable arrears to only three years, forcing landlords to forfeit the remainder. He invited the Minister to correct him if he was mistaken, as he had been thoroughly briefed on the matter and wanted to ensure accuracy.

Keane acknowledged that the current Bill went some way toward addressing the problem but argued that it did not go far enough. He explained that, under the Bill's provisions, compounded arrears for the full period between the lodgment date and the appointed day would be added to the purchase money, provided this period did not exceed three years. If the period was shorter, additional arrears prior to the lodgment date could be included

to make up the difference. In his example, if particulars were lodged in 1933 and the appointed day arrived in 1937, resulting in seven years' arrears, only four years' arrears would be recoverable under the Bill. While this was an improvement on the previous three-year limit, it still fell short of restoring the position to what it had been under the 1936 Act.

Keane argued that his amendment sought to ensure that the financial loss incurred did not exceed the 25% reduction already imposed under the system of compounded arrears. He pointed out that long delays—sometimes up to four years—often occurred between the lodgement date and the appointed day. Under his proposal, no more than three years' arrears prior to lodgement would be recoverable, as landlords had access to normal legal remedies during that period. However, he maintained that after lodgement, all arrears—less the 25% reduction—should be recoverable. He further explained that, in practice, rent under fee farm grants and long leases, particularly in smaller cases, was often collected annually. A full year's rent might be overdue before a landlord took legal action, and it could take an additional six months for a case to be heard. Courts frequently granted adjournments when tenants indicated they were about to lodge particulars with the Land Commission. As a result, two years' rent could easily be outstanding by the time of lodgement. If the appointed day was delayed by three years, these arrears would be entirely lost under the existing legislation, creating an incentive for tenants to withhold payments.

Keane recalled that, during the Committee Stage, the Minister had stated that all rent arrears up to the appointed day could be recovered through ordinary legal means. However, Keane believed this was incorrect, as once particulars were lodged, landlords no longer had legal recourse. He reiterated that, through no fault of their own, landlords could find themselves unable to recover two or three years' worth of rent. He concluded by pointing out that his proposed procedure was identical to that used for judicial tenants under the 1923 Act, where all rent arrears were irrecoverable after the Act's passage, but three years' arrears were added to the purchase money. He questioned why superior interests should be penalised when

subordinate interests had been treated more favourably. He believed this disparity was unfair and urged the Minister to ensure that these interests received basic justice through the acceptance of his amendment.

In response, Minister Boland argued that landlords had the legal right to sue for arrears before the appointed day, as confirmed by a Supreme Court decision. If landlords had failed to take legal action and had allowed arrears to accumulate, he believed it was unfair to expect the Land Commission to recover these arrears for them. He maintained that the Bill had already improved the existing system by allowing compounded arrears (75% of rent due) to be added to the purchase money for the period between the application and the appointed day. If the arrears had been less than three years, recovery could have extended backward to cover three years in total. Boland insisted that this had been fair and had opposed making the Land Commission responsible for collecting rents that landlords had neglected to pursue. He argued that if arrears had remained unpaid for years, it had likely indicated that the land could not sustain such a rent. He rejected the idea of the Land Commission handling arrears from before it had taken control, stating that the Bill had ensured fair compensation for the period under its jurisdiction.

Subsequently, Senator John Counihan criticised the Minister's stance, acknowledging that the Land Commission should not have been responsible for collecting debts. However, he argued that in this case, the Land Commission had effectively stripped landlords of their rights by preventing them from recovering arrears if economic conditions had improved. He pointed out that for the past five or six years, landlords had known they had little chance of recovering unpaid rents, even through the courts. Now, the Land Commission had assumed control and had eliminated their ability to claim arrears. Counihan had supported Senator Sir John Keane's argument that landlords should have been given more consideration when their rights were being removed. He had further contended that writing off arrears had encouraged dishonesty, as those who had paid their rents promptly had received no concessions under the Land Acts. Across the country, he believed, many people who could have afforded to pay had deliberately withheld payments in the hope

of benefiting from legislative changes. He had urged the Minister to approach the amendment with greater sympathy, and had suggested that a compromise might have been possible.

Senator Sir John Keane had also stated that he had been opposing the Land Acts since 1923, throughout his entire tenure in the House. Having spent 16 years in the "firing line," he had grown accustomed to the Minister's refusals. He had argued that leaving the Bill as it was would cause significant injustice. He questioned the fairness of granting judicial tenants—who held a lesser interest—a favourable position while placing those with superior interests in a much worse situation. His request had simply been for both categories to be treated equally under the measure. Keane had provided an example of a superior interest: a fee farm grant of £98 per year, well secured on a nearly urban property. Under the Act, the right of redemption had been granted. The vendor had received £1,500 in 4½ per cent land bonds, providing an annual return of £60 instead of the original £98. Meanwhile, the grantee's annuity had been halved to just £30. He had questioned the justice of such an arrangement, pointing out that while much had been said about poor tenants improving their holdings through hard labour, wealthy individuals were now benefiting from even more generous terms under the system of compounded arrears.

Keane had also expressed annoyance that the Minister had not come prepared with details regarding the Supreme Court decision, despite having been challenged on the matter during the Committee Stage. Based on legal advice he had received, he had asserted that no such decision existed and that the law had only allowed landlords to collect arrears up to the day of lodgment, not up to the appointed day. He had contended that, even with the utmost diligence, landlords were almost inevitably burdened with two years' arrears before they could take action. A landlord would not know of a default for a year—given that the tenant had paid the previous year—and once legal proceedings began, another six months would pass, leaving at least two years' arrears before resolution.

The Minister had suggested that delays in collection were due to the vendor, but Keane had strongly disagreed, arguing that the

vendor had every incentive to expedite the process. Instead, he had placed the blame on the Land Commission or the grant payer, claiming that the vendor had no control over the delays. As a result, he had stated, a period of four years—at minimum three—would often pass from lodgement to the appointed day, yet nothing was being accounted for in relation to the unavoidable two years of arrears that had already accumulated.

However, Boland would state that, aside from the decision previously mentioned, there was nothing in the Land Acts that prevented a landlord from claiming rent up to the appointed day. He had also understood that, in most cases brought before the Land Commission—particularly Section 44 applications—the applicants had been entirely unable to pay rent, and in cases where arrears had accumulated, they had generally been uncollectable. He had assured the Seanad that the amount the Land Commission was able to recover was, in reality, a significant benefit for landlords. That, Boland had asserted, was the information available to him. When Keane's latest amendment was put, it was again defeated.

As the final debate reached its conclusion, Counihan had opposed the motion for the passing of the Fifth Stage of the Bill. He had done so because he believed it was unjust and unfair to landholders, detrimental to the best interests of the farming community, and harmful to the country's prosperity. He had opposed almost every Land Act passed through the House since 1923, except one, as he had considered them unjust and unfair. He had vowed to continue his opposition until the Government, or some future Government, introduced a Bill that would be fair to all landholders—both large and small, landlords and the congested. Until that happened, he had argued, there would be no peace or stability regarding land in the country.

He had, he claimed, expressed doubt that anything he said that evening would influence those on the other side to vote against the Bill, so he had refrained from prolonging his argument. However, referring to remarks made by Senator Sir John Keane, he had noted that Senator Quirke had, at that time, associated him with Keane in what he had considered a derogatory manner. He had made it clear in the House, publicly, that he had

been proud to be associated with Sir John Keane in advocating for the rights and justice of every citizen in the country.

Counihan had stated that he had been in Parliament throughout the passage of these Land Acts, opposing injustice. However, he had parted ways with Senator Keane on one occasion—on the O'Higgins Land Act—when he had supported it, believing it had not gone too far, despite the severity of the laws being administered and the hardships endured. He had acknowledged that, as two other Senators had previously suggested in a debate, they had to "grin and bear it," rather than seek redress from an external authority.

Senator William Quirke, of Fianna Fáil, also criticised remarks made previously by Keane, particularly regarding what he had described as a "terrible confiscation by the Government." He had taken issue with Keane's suggestion that, over the last weekend, a certain district had been visited and that the "boyos"—the landless men—would come along. Quirke had presumed that by "boyos," Keane was referring to the men who, in Quirke's view, had fought for the country when it had been necessary to fight.

With a confrontational set of remarks between both men, Senator Quirke expressed delight in being associated with the "landless men," both past and present. He clarified that the men he recommended for land were experts in their line of business, qualified to work the land, and had the necessary capital to stock it. He argued that a person skilled in any business should be encouraged to contribute more wealth to the country, and that those who were experts in agriculture should not be despised, as Senator Sir John Keane had suggested. Quirke accepted the Minister's statement that the focus should be on dealing with uneconomic holders before landless men, but he emphasised that once the uneconomic holders had been dealt with, priority should be given to landless men.

He further criticised Senator Keane for referring to these landless men, whom he called "boyos" and "plunderers," as if they were a threat. Quirke asserted that these men, who represented the majority of the country, would serve a more

useful purpose than the people Senator Keane represented. He condemned Keane for defending the landlord class, who had misused their land for centuries, and for calling the God-fearing landless people "boyos" and "plunderers." Quirke deemed this an outrage, especially coming from someone who he claimed was representing landlordism.

Francis Baxter used the opportunity to make a lengthy and pointed critique regarding land distribution, stating that , in his view, the narrative around the availability of land was misleading. He argued that instead of focusing on the idea of having millions of acres to distribute, Senators should acknowledge that there were only around 600,000 acres of arable land available. Baxter emphasised that the reality was that land distribution would only be possible if it was taken from those who were already making good use of it. He urged that the rush for land should be stopped now, before it escalated further.

Baxter also strongly opposed the idea of land distribution based solely on past wrongs committed by landlords. He pointed out that landlords were no longer around to answer for their actions and believed that continuing to blame them for past misdeeds was unjust. The focus should be on land's economic and social value rather than on historical grievances. He suggested that the land should contribute to the cultural, social, and economic life of the nation, and that land distribution should be managed in a way that ensured stability, particularly by prioritising larger, sustainable holdings over small, fragmented ones. He also raised fears about the future implications of land distribution policies, particularly the impact on rural life and the future of professions like the Catholic clergy, medical doctors, and lawyers, many of whom had traditionally come from farming backgrounds. He feared that small holdings would not be able to provide the resources needed to support future generations in these professions. He cautioned against breaking up land into smaller and smaller holdings, as it would weaken the agricultural sector and diminish its contribution to national life.

Baxter concluded by urging Senators to face the reality of land scarcity and not to propagate the idea that land was endlessly available for redistribution. He emphasised the importance of

confronting the land shortage and finding practical solutions for those who would not be able to access land. While acknowledging the difficulty of the issue, he urged for a realistic approach, one that faced the facts and avoided creating unrealistic expectations.

Senator Christopher Michael Byrne of Fianna Fáil argued that the land policies in the Bill were not new but rather a continuation of the long-standing objectives of Irish nationalist movements, dating back to the Land League and its successors, including the National League, the United Irish League, and Sinn Féin. He asserted that both the late Mr. Hogan and the current Minister were merely carrying out policies that had been advocated for over 60 years. Byrne expressed his hope that this policy of land redistribution would continue until all 600,000 acres available were divided among smallholders and those with uneconomic holdings. At that point, he suggested, the issue could be reassessed. He also directly challenged Senator Professor Johnston's view on the economic viability of large farms, asserting that large farms could be just as uneconomic as small holdings—a position he was prepared to debate. Byrne took a strong stance against the concentration of land ownership, criticising the idea that one-quarter of the population should own three-quarters of the land while the majority had to survive on the remaining fraction. His argument reflected a broader ideological position in favour of land redistribution as a means of achieving social and economic justice.

Labour's Senator John Butler highlighted what he saw as a neglected group in land distribution: the evicted tenants and their successors. He argued that this group had been forgotten by both the Land Commission and successive governments. Butler described them as a deserving class and made a direct appeal to the Minister and the Land Commission to consider their applications with sympathy. He urged that a serious effort be made to address their claims when land redistribution was being carried out.

Minister Boland defended the necessity of the Bill, explaining that it was introduced in response to two legal decisions, one of which, concerning the quorum of the Land Commission, could

have rendered its work impossible. He dismissed concerns that the Bill introduced new powers, insisting that Section 39 provided only a safeguard rather than a fundamental change. Boland reassured landowners that their position was now more secure than before, reiterating the promise made by the current Minister for Defence during the passage of the 1933 Land Act—that farmers with well-worked estates had nothing to fear. He argued that this commitment had been upheld in the years since, despite claims from opposition members that landowners remained in fear. He took issue with Senators Sir John Keane and Professor Johnston for using the term "confiscation" in previous contributions on this Bill, insisting that many landowners had been satisfied with the compensation they received. He criticised Johnston in particular, accusing him of making claims without a proper investigation, which he deemed "unscientific." Nonetheless, though Boland had initially viewed Johnston as a purely academic figure, he remarked that the Senator had proven himself to be a shrewd politician in the debate.

Furthermore, Minister Boland strongly rejected the argument that the government was unjustly confiscating land, responding specifically to Senator Johnston's claim that economic policy had forced some landowners to sell their land to the Land Commission. Boland dismissed this argument as an attempt to create fear, suggesting that Johnston ignored other reasons why landowners might sell, such as mismanagement or gambling. He accused Johnston of being more interested in gaining media attention, particularly in 'The Irish Times,' rather than in engaging with the reality. Boland also warned that rhetoric from figures like Johnston and Senator Sir John Keane, particularly given their influence in financial circles, could itself generate insecurity. He acknowledged that a general feeling of agitation around land division existed across all political parties, not just his own. He stressed that insecurity was not caused by the Land Commission but rather by local agitation in areas where land was derelict and neglected. In such cases, he argued, it was justified for communities to push for redistribution. He reassured landowners that productive farms—whether 30 acres or 1,000 acres—had not been, and would not be, taken by the Land Commission. He criticised Senators who speculated about what

future governments might do, pointing out that nobody could actually control the decisions of future administrations.

Making his final major point, Minister Boland defended the government's approach to land acquisition, refuting claims of confiscation, and reaffirming that well-worked farms, outside of congested areas, had not been taken. He clarified that "congested areas" referred not only to officially designated districts, but also to places where small farmers faced local land shortages. He acknowledged that land owned by businesspeople who did not reside near their holdings had been acquired in areas of local congestion, arguing that this was justified. Boland rejected Senator Johnston's claim that he was arbitrarily "cutting up the country into little bits" like a child with scissors, insisting that the government valued good farms and had no intention of harming agriculture. He defended the policy of relocating families from the West of Ireland to counties such as Meath, Kildare, and Roscommon, believing it would have positive social effects. He also admitted that earlier land allocations had been small but maintained that future recipients would receive 25 acres of arable land—sufficient, in his view, to provide a moderate living for a family. He strongly criticised Senator Sir John Keane for using the term "confiscation," and assured the Seanad that the Land Commission was committed to paying fair prices for acquired land. He outlined the process for determining land value, explaining that owners dissatisfied with the Land Commission's valuation could appeal to an independent tribunal, which often ruled in favour of increasing compensation. Addressing fears about fairness, Boland dismissed claims that landowners were mistreated in legal proceedings, asserting that all cases were heard fairly and under oath. He urged confidence in the system and rejected accusations that individuals were being "robbed" at 23 Merrion Street, the headquarters of the Land Commission.[110]

The Rates on Agricultural Land (Relief) Act 1939 was also passed that year to further increase the amount of the agricultural grant referenced in Section 48 of the Local Government (Ireland) Act, 1898, and to provide for its

[110] *'Seanad Éireann Debate - Wednesday, 26 Jul 1939' (Oireachtas.ie2025)*

application as increased, along with other matters related to relief from rates on agricultural land.[111] Under the old Act from 1898, A sum, referred to in this Act as the agricultural grant, was annually paid out of the Consolidated Fund to the Local Taxation (Ireland) Account. This amount equaled half of the total sum certified under this Act as having been raised across Ireland through the poor rate and county cess on agricultural land during the twelve months ending on 29 September 1897 for the poor rate and 30 June 1897 for the county cess. These twelve months were to be designated in this Act as the standard financial year. The portion of the agricultural grant allocated to each county council, as certified under this Act, was issued by the Lord Lieutenant from the Local Taxation (Ireland) Account to the respective council on a half-yearly basis, subject to the conditions and provisions set out in this Act.

The provisions of this Act concerning agricultural land extended to all hereditaments listed as land in the valuation list under the Valuation Acts, provided they were not part of a railway or canal. However, these provisions did not apply to hereditaments located within the boundaries of any borough or town that was classified as an urban sanitary district at the time.[112]

Prior to its passing, Senator Patrick Baxter raised fears regarding the current system of rates relief, particularly questioning whether it could be better linked to productivity rather than the number of people employed on the farm. He expressed that the current scheme, which provides relief based on the number of people employed, does not necessarily correlate with increased productivity. He pointed out that a farmer might receive relief due to having sons working on the farm, yet those sons may be working elsewhere, thus not contributing to the farm's productivity. Baxter argued that if the farm's productivity were examined, the relief provided would not yield the expected return to the nation.

---

[111] *'Rates on Agricultural Land (Relief) Act, 1939' (Irishstatutebook.ie1939)*

[112] *'Section 48 - Local Government (Ireland) Act, 1898' (Irishstatutebook.ie1898)*

Baxter acknowledged that there would be future demands for greater rate relief, but he emphasised that the ultimate goal should be to increase production from the land. He suggested that any relief scheme should be structured in a way that promotes greater agricultural productivity, not just employment. Increased employment does not automatically equate to increased productivity, he noted, as casual labour often does not contribute significantly to farm output. He advocated for the relief system to be more scientifically grounded, with a focus on rewarding real productivity rather than just providing relief based on employment numbers. He believed that linking relief to actual output would ensure that the financial assistance reached those who truly deserved it, for example, farmers who contribute meaningfully to the nation's agricultural productivity. He also emphasised that farmers with higher production would be better able to bear the burden of rates, making it crucial to incentivise increased productivity. Baxter further highlighted that, in his view, the current system was not providing the best value for the money invested. He suggested that, with a closer look at how the legislation was working on the ground, the Minister would see that the scheme was not achieving its intended goals. Baxter concluded by urging the Minister to reconsider how relief was distributed, suggesting that focusing on productivity rather than the number of people employed would be a more effective approach to fostering agricultural growth.

Senator Quirke agreed with Senator Baxter's idea of linking rate relief to productivity, as it could potentially lead to greater agricultural output. However, Quirke raised his own worries about how this could be practically achieved, noting, in his view, that increased employment does not necessarily equate to increased productivity. He highlighted the difficulty in establishing a reliable and universal method for measuring productivity in farming, given the variability in individual performance. For example, one person might produce more than another on the same day, making it hard to create a clear standard for productivity-based relief. Quirke then defended the current system, stating that it was the best option available at the moment. He argued that, under the present system, those with valuations of £20 or less—who represent the majority of farmers in Ireland—were benefiting the most. In Senator

Baxter's county, for example, 81% of people had a valuation of £20 or less, and these individuals were gaining from the current legislation. Quirke noted that the alternative proposal of derating agricultural land, which had been suggested by some, would have resulted in those with lower valuations losing out, while the wealthier landowners would have received a disproportionate share of the relief. Quirke concluded by emphasising the importance of creating a scheme that benefits the greatest number of people and promotes employment. He argued that the current system was achieving this goal by providing relief to the vast majority of farmers, particularly those with smaller holdings, who formed the backbone of the rural economy. According to Quirke, the Government's priority should be to design a system that supports the people who need it most, and the current approach fulfils that objective.

Senator Christopher Byrne expressed his support for the principle behind the-then current rate relief scheme, acknowledging its benefits, particularly for farmers with valuations under £20, as highlighted by Senator Quirke. However, Byrne pointed out a flaw in the scheme: it failed to sufficiently encourage the employment of labour on the land. He explained that the current system provided a certain amount of relief for employing a labourer, but it also gave the same amount of relief to farmers who did not employ labour. In his county, this resulted in only a small difference of 25/- per year between those who employed workers and those who did not, which he felt was not enough to properly incentivise employment. Byrne suggested that the Minister should have considered a more equitable way of distributing the relief by dividing the allocation across all the land. While he acknowledged that this might not have resulted in a huge amount, he argued that it would still have offered some help and would have ensured that farmers who employed labour were not penalised to support those who did not. He also believed that such a change could have benefited small holders. Byrne concluded by highlighting that expanding the scheme, if financial resources allowed, could have been a valuable way to encourage people to live and work on the land, thus contributing to increased productivity.

In the final contribution, Sean T. O'Kelly acknowledged that complaints would inevitably arise, regardless of the method chosen for land rate relief. He noted that this particular scheme had been in operation for some years and, although complaints had been heard every time legislation had been introduced, no better alternative had been proposed so far. O'Kelly mentioned the presence of an Agricultural Commission, of which Senator Baxter was a member, and expressed the belief that if the Commission were to propose a new scheme, it would likely generate even more complaints. Referring to the lack of consensus in the previous Commission on derating, he assured Senator Baxter that any new proposal put forward by the Agricultural Commission would be taken seriously. O'Kelly emphasised that any scheme aimed at achieving fairer distribution and promoting increased production would receive sympathetic consideration, provided it appeared feasible and equitable.[113]

Brendan Edgeworth, writing in '*The Irish Jurist*,' explores the tensions between the legislature and judiciary in the 1930s, particularly during the testy period of 1933-1939, highlighting how judicial decisions significantly hampered the Land Commission's efforts at a time when the Fianna Fáil government was committed to widespread land redistribution as part of its push for economic self-sufficiency. Given the political sensitivity of these policies and the large number of adverse rulings, Edgeworth questions whether judicial opposition was politically motivated.

He points to cases such as *Estate of Peter C. Alley v Irish Land Commission*[114] and *Estate of Maher and Others v Irish Land Commission*,[115] where courts adopted particularly restrictive readings of the law. Had they ruled in the Commission's favour, he argues, they would not have distorted statutory language but rather embraced a purposive interpretation in line with

---

[113] *'Seanad Éireann Debate - Thursday, 20 Jul 1939' (Oireachtas.ie1939)*

[114] *Estate of Peter C. Alley v Irish Land Commission, unreported, Appeal Tribunal, file no. S2536 (1936)*

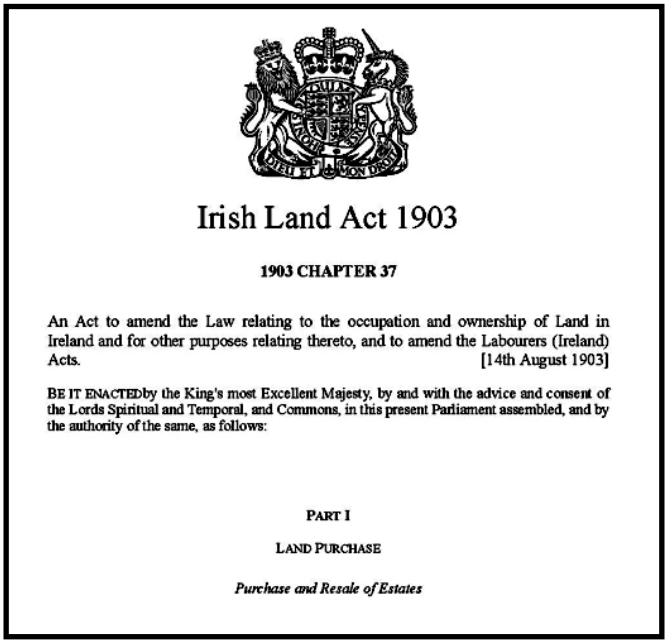
[115] *Estate of Maher and Others v Irish Land Commission unreported, file no. S8377 (1937)*

democratic judicial norms. Edgeworth suggests that political bias is a plausible explanation, noting that all the judges involved had been appointed either by the British or by the more conservative Cosgrave government of the Free State, both of which favoured a market-driven approach to land ownership. He specifically highlights W.E. Wylie's background as a prosecutor assisting the British in trials of the 1916 rebels.

However, Edgeworth cautions against a simplistic view of the judiciary as obstructing the democratic will. He notes that, in earlier cases such as Clandricarde and Lynham v Butler, the courts granted the Land Commission significant leeway. It was only after the Commission's powers were greatly expanded in 1933 that judicial scrutiny intensified, ensuring landowners' procedural protections were upheld. The case law, he argues, reflects a judiciary concerned with maintaining the separation of powers, protecting property rights, and navigating the evolving role of private ownership within a capitalist economy. Ultimately, Edgeworth sees the courts as having struck a careful and, in many ways, defensible balance between government policy and individual property rights.

He further supports this assessment by pointing to contemporary reports of corruption and political favouritism, suggesting that without strict legal safeguards, land redistribution risked becoming a vehicle for cronyism. In this light, judicial insistence on procedural rigour may have acted as a check on potential abuses. By 1945, Edgeworth notes, even senior figures within Fianna Fáil appeared to reconsider their stance on this, implying a retrospective alignment with the Irish judiciary's earlier caution.[116]

[116] *Brendan Edgeworth, 'Rural Radicalism Restrained: The Irish Land Commission & the Courts, 1933-1939' (2007) 42 The Irish Jurist 1.*



Irish Land Act 1903

1903 CHAPTER 37

An Act to amend the Law relating to the occupation and ownership of Land in Ireland and for other purposes relating thereto, and to amend the Labourers (Ireland) Acts. [14th August 1903]

BE IT ENACTEDby the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I

LAND PURCHASE

Purchase and Resale of Estates

The Irish Land Act 1903 was a major breakthrough in land reform.

RURAL HOUSING LEGISLATION & POLICY

As discussed by Ruth McManus of St. Patrick's College, Maynooth University, one of the features that makes housing policy efforts in Ireland unique, particularly in the 19th century, is that such initiatives were heavily focused on rural areas. The two predominant forces in civic society at the time, such as cultural nativism and Roman Catholicism, had a predominantly rural base, hence, campaigns for reform in housing tended to be emphasised in such regions, rather than the urban slums.[117]

The original Board of Public Works in Ireland was created by means of the Public Works (Ireland) Act, 1831.[118] It amalgamated the authorities of many pre-existing entities into a single entity. The Board had enduring authority, and a spectrum of issues beyond those of its English equivalent. It could establish relief initiatives, such as public works programs for subsistence aid. It was accountable for civic structures, piers and fisheries, royal harbours, and inland navigation, among other responsibilities. It financed significant infrastructure projects using public funds. It offered funding and loans for localised development initiatives. During the latter part of the nineteenth century, the Board persisted in providing loans for building, including residences for the labouring and working classes. The relevant law included the following:

- Landed Property (Ireland) Improvement Act, 1860
- Labouring Classes Lodging Houses and Dwellings (Ireland) Act, 1866
- Artisans and Labourers Dwellings Improvement Act, 1875
- Labourers (Ireland) Acts 1883, 1885

---

[117] *Ruth McManus, 'Blue Collars, "Red Forts," and Green Fields: Working-Class Housing in Ireland in the Twentieth Century' [2003]*

[118] *'Public Works (Ireland) Act 1831' (Irishstatutebook.ie1831)*

- 1890 Housing of the Working Classes Act[119]

The improvement of rural housing was a major component of the 'land question' during the nineteenth century. To clarify its stance on the land issue, the executive committee of the 'National Association of Ireland' sent a list of innovative recommendations for the Amendment of the Landed Property (Ireland) Improvement Act, 1860, to the membership during the 1860s, signed by the Chairman of the 'National Association of Ireland,' John Blake Dillon. In his elucidatory correspondence accompanying the proposals, Dillon exercised considerable prudence in advocating for the enhancement of solvent tenants and in reassuring the membership that the association's objective was not to reallocate property between classes, but rather to encourage enhancement and to provide incentives for the generation of property that, under current circumstances, may remain unrealised. The outcome was that the Meath clergy and their coadjutor bishop, who espoused "advanced views" on the land issue and possessed a longstanding history of ultra-nationalist partisanship, grew increasingly discontented with the association's position on both the land question and the political processes proposed for its resolution.[120]

The 1860 Act would also be influential in the landmark Irish Church Act 1969, which lead to the disestablishment of the Church of Ireland. This Act, which ended the tithe system to the Church of Ireland, also saw the creation of the Church Temporalities Commission. This Commission was responsible for selling Church property. Any limited owner could acquire the necessary funds for any limited acquisition under section 34 of the 1869 Act, or any portion thereof, by a mortgage (at an interest rate not exceeding five percent per year) on the land of which he was the aforementioned limited owner. A "Limited Owner," as defined by the Landed Property (Ireland) Improvement Act, 1860, refers to any individual who, under an existing or future legal or equitable settlement, has the right to

---

[119] Fiona Fitzsimons, 'Kindred Lines: Artisans' & Labourers' Cottages' (History Ireland2023)

[120] E Larkin, The Consolidation of the Roman Catholic Church in Ireland, 1860-1870 (Gill and Macmillan 1987)

possess or collect the rental income and profits from land for the duration of their lifetime, whether or not the property is subject to financial liabilities. The estate in question must fall into one of several categories: a life estate or a leasehold interest that is indefinitely renewable; a leasehold estate with a term of at least sixty years; a leasehold interest with at least sixty years remaining on the lease; or any estate exceeding these in scope (Section 7). Beyond individuals, the definition of a "Limited Owner" also includes corporate entities, sole corporations (whether religious or secular), trustees, charitable organisations, and commissioners or trustees responsible for ecclesiastical, collegiate, or other public purposes. These entities must hold either absolute ownership (fee simple) in freehold land or a leasehold interest with at least sixty years remaining, or one that is indefinitely renewable or renewable for no less than sixty years (Section 24). Additionally, the term encompasses guardians, legal committees, or spouses acting on behalf of limited owners who are legally incapacitated.[121] This allowed for a transfer and repurposing of Ascendancy Church land for development.[122]

Rural housing, facilitated by the below legislation that is considered, had, over the course of two decades, permitted significant housing initiatives, backed by government funding, which was not implemented elsewhere in the U.K. until a long time afterwards. This transformative initiative was integral to a broader property revolution in Ireland, characterised by the transition of ownership from landlords to tenants, and the need for both nationalists and unionists to address the problems of rural labourers.[123]

The most substantial landscape effect of government activities in Ireland from the late 19th century onwards was most likely the development of social housing under the aforementioned Labourers' Cottages Acts. Originally enacted in 1883, the

---

[121] WL Bernard, The Irish Church Acts, 1869 & 1972 (Hodges, Foster & Co 1876)

[122] R McDowell, 'Administration and the Public Services, 1870–1921', A New History of Ireland, Volume VI Ireland Under the Union, II: 1870-1921 (Oxford Academic 2010)

[123] Denis Marnane, 'A Forgotten Revolution: The 1883 Labourers' Act in County Tipperary - Part Two' (Tipperary Studies)

Labourers (Ireland) Act established the inaugural state-sponsored rural public housing initiative in Ireland.[124]

The Labourers Acts, an extensive and unusual social housing initiative, sprang from the unique political and economic circumstances surrounding land and housing in late 19th century Ireland. As advancements were achieved in land reform, the IPP shifted its focus to the next most significant demographic engaged in agriculture. Landless agricultural labourers, constituting 25% of the rural workforce in the late 19th century, were unable to profit from the Land Acts, prompting the IPP to seek the support of this significant constituency. The housing issues for labourers may have been intensified by the transfer of land to tenants, since the majority of existing labourer housing was supplied by landlords, a supply that tiny peasant owners may not have been able to replicate. The several Labourers Acts followed the Land Acts and had a similar escalation in ambition regarding their magnitude and breadth. Due to political considerations, any improvements implemented for farmers had to be paralleled by equivalent advantages for agricultural labourers, whose primary need at the time was that of enhanced accommodation.[125]

Between 1883 and 1919, the Labourers (Ireland) Acts enabled Irish rural local authorities to dismantle many rudimentary one-room "cabins" formerly inhabited by agricultural workers, and to relocate their residents into sturdy, uncomplicated "cottages" situated along the roadways. As Aalen notes in the 'Journal of Historical Geography,' by the cessation of the First World War, around 50,000 new residences had been constructed, each accompanied by a modest allotment. This was the first significant public housing initiative undertaken nationally, and in rural regions of the broader British Isles. A multitude of factors shaped the inception and development of the law, including the Irish Land Acts, "constructive unionism," the waning of 'laissez-faire' doctrine that guided the Liberal governments, and the

---

[124] A Crampsie, 'A Forgotten Tier of Local Government – the Impact of Rural District Councils on the Landscape of Early Twentieth Century Ireland' (Irish Geography2014)

[125] A DeBromhead and R Lyons, 'Rooted to the Soil: The Impact of Social Housing on Population in Ireland since 1911' (Queen's University Belfast2021)

back-to-the-land movement. The actions constitute an extensive, intricate sequence in which initial flaws were rectified and financial assets were augmented. Construction activities accelerated post-1906, due to significant state funding offered under favourable conditions; yet, for multiple factors, construction remained consistently lower in the provinces of Connacht and Ulster, when compared to other regions. The characteristics of traditional dwellings were, sometimes, intentionally maintained, however cottage design and placement mostly mirror contemporary medical, hygienic, ethical, and economic considerations.[126]

MacDonagh, in his landmark 1920 work, '*The Home Rule Movement*,' notes that through the efforts of the Irish Party, the boards of guardians, acting as the hygienic authority, were authorised, beginning in 1883 (as previously mentioned), to provide houses and parcels of land for agricultural labourers, with funds provided by the Exchequer as a loan under advantageous payback conditions. Consequently, that unsightly blemish on the beautiful visage of Ireland, the dilapidated hut with an opening in the thatch serving as a chimney, eventually vanished. The Labourers' (Ireland) Act, 1906, enacted by James Bryce, the Chief Secretary of a Liberal Government, culminated the different acts by streamlining the process and decreasing the expenses.[127]

According to the Labourers (Ireland) Act (1906), £4,250,000 was designated for public loans to local administrations for housing purposes. The cost of building a proposed cottage was around £130. This amount may have been potentially enough to construct around 30,000 dwellings, accounting for administrative expenses. The program was implemented. Subsequently, DD Sheehan said in the House of Commons on August 11, 1911, that an additional £1 million was inadequate for finishing the housing initiative. The additional amount was approved by an

---

[126] *Frederick HA Aalen, 'The Rehousing of Rural Labourers in Ireland under the Labourers (Ireland) Acts, 1883–1919' (1986) 12 Journal of Historical Geography 287.*

[127] *Michael MacDonagh, The Home Rule Movement (Talbot Press 1920)*

amendment to the Labourers Act of 1906.[128] Every newly established land-owning farmer was required to relinquish one acre of prime land to any labourer who asserted a claim, for a payment of £30.00. These cottages encompassed one and a half stories, including a loft.[129] In contrast to their urban counterpart, the housing conditions for rural workers were fast improving at this time, and this is primarily due to the Labourers' (Ireland) Act, 1906. In 1912 alone, a total of 39,241 cottages were erected, mostly in Munster and Leinster.[130]

The broad support across various creeds in society enjoyed by the numerous legislative reforms in rural Ireland can be seen in the background of one its key 'engine-room' figures, William John Johnston. A barrister (and later a judge), Johnston co-authored '*The Law of Local Government in Ireland*' (1899) with H. M. Fitzgibbon, as well as authoring '*Commentaries on the Land Purchase Act 1903*' and '*The Labourers' (Ireland) Act 1906.*' Unusually, as both a Presbyterian and a proponent of home rule, he followed in his well-known father's footsteps (James Johnston, a wealthy merchant), and would become the Liberal 'home rule' candidate for Londonderry South in the December 1910 general election. He missed out on the seat by only 333 votes.[131]

Murray Fraser outlines how that, while the Labourers Acts originated from Irish agitation, they ultimately relied on support from the British Government. Consequently, political developments in Westminster indicated the conclusion of the programme. The catalyst was the constitutional crisis of 1910-11, instigated by the House of Lords' rejection of Lloyd George's 'People's Budget'. The re-elected Liberal Party, alongside the IPP and British Labour Party, which now wield the balance of power, promptly enacted legislation to diminish the

---

[128] John Dillon, DD Sheehan, BL, MP: His Life and Times (Foilsiúcháin Éireann Nua 2013)

[129] Jim Larner, Fossa & Aghadoe: Our History and Heritage (Fossa Historical Society 2007)

[130] P Daly, R O'Brien and P Rouse (eds), Making the Difference? The Irish Labour Party, 1912-2012 (Collins Press 2012)

[131] Patrick Gageby, 'William John Johnston' (Dictionary of Irish Biography2009)

Lords' veto to a mere delaying authority. The course was now set for the presentation of the third Home Rule Bill in 1912, a revision of Gladstone's initial two proposals, thereby emphasising devolution, rather than that of separation. Encouraged by the Conservative Party, vehement Unionist resistance spearheaded by Sir Edward Carson thrust the Government into a worsening 'Ulster Crisis' that was ultimately resolved by the onset of war with Germany in August 1914. The British Conservatives consented to a compromise, stipulating that the Home Rule Bill would be enacted on the condition that its implementation be deferred for the duration of the war, and that it would not be enacted until Parliament approved an exclusion clause for Ulster. The Asquith Cabinet's inability to address the Ulster issue undoubtedly weakened its authority and hindered the social policies of 'New Liberalism'.

The Liberal Party suffered a series of disastrous by-election defeats in mid-1912, with Conservatives mocking the government's weakness on both Irish and social issues. In response, Lloyd George attempted to shift focus with his ill-fated 'Land Campaign', aimed at winning rural support ahead of a potential general election. The Home Rule controversy also stalled social reforms, affecting the Irish Party (IPP) from 1911. By March 1913, funds for the Labourers Acts were running low, but the IPP, reliant on the Liberals for Home Rule, was unable to act. This opened the door for William O'Brien and the Independent Nationalists to take the lead.

Chief Secretary Birrell eased pressure on the IPP by securing a £1 million loan from the Treasury. However, with other urgent matters dominating, the 1914 Labourers Act was delayed until after the outbreak of war. By then, around £4.4 million had been allocated for rural housing, with the total fund standing at £6.25 million. Despite this potential for further action, wartime austerity halted progress. Treasury officials had been scaling back the programme since 1912, and by the war's outbreak, they declared it had achieved its goal of eliminating substandard rural housing.

Before 1914, the Irish Labourers Acts had established state subsidies and standardised designs for local authority housing.

These subsidies successfully provided homes for the intended working-class population, with growing inclusion of low-paid suburban workers from 1906. The large-scale programme led to the 'municipalisation' of rural working-class housing, still evident today in the widespread detached, single-storey pre-war cottages across Munster and Leinster.

It is clear that the most "socialised" housing model emerged in the least economically developed part of the UK, which can be explained by the Labourers Acts responding to the uneven modernisation process. This initiative was clearly part of a broader socio-economic transformation in rural Ireland, where land redistribution was creating peasant proprietorships. The Irish Party's aim to incorporate farm labourers into the Nationalist movement drove the state to become the primary provider of rural cottages. Despite a declining labourer class, nearly 50,000 new homes were built by 1914 in a dichotomy of diminishing demand.

By then, agricultural wages had risen, and British housing reformers took interest, particularly in well-designed cottages like those in South Co. Dublin. However, the success of the Irish Labourers Acts strengthened opposition in the pre-war Liberal Government and the Imperial Treasury to extending state subsidies to other housing sectors. This resistance, and the political struggle it sparked in Ireland, sets the stage for the next chapter on urban housing.[132]

According to a 1920 article in 'The Builders' Journal and Architectural Engineer,' the Royal Institute of Architects of Ireland, in their annual report, asserts that despite their representations to the Chief Secretary for Ireland, the Housing of the Working Classes (Ireland) Bill was put forward without consideration of the employment of qualified architects on housing schemes. The Council, apprehensive of a recurrence of the unfavourable circumstances associated with the Labourers' Ireland Act of 1906, prepared a comprehensive statement of their stance, which was sent to the Chief Secretary, the Local

---

[132] *Murray Fraser, 'John Bull's Other Homes: State Housing and British Policy in Ireland, 1883-1922' (University College London1993)*

Government Board, and many Members of Parliament, eliciting favourable responses. The Local Government Board disseminated a circular to all local authorities mandating that all housing schemes be devised by qualified architects, and that if the local authority employs a suitably qualified engineer or surveyor, he must seek the assistance of competent architects in draughting the plans. The Council deemed this clause significantly important for the profession, yet believed it was equally or more critical that the qualifications of an architect should not be solely determined by a Government Department. Consequently, they persisted in advocating their perspectives to the Ministers; yet, regrettably, the Bill advanced through the House of Commons without the inclusion of any appropriate provision on the matter. The Chief Secretary subsequently agreed to meet with the Secretary of the Institute, who submitted two draft clauses. The Council determined that these clauses should either be included in the Bill or added to a Local Government Board Order to safeguard the profession, ensuring that the numerous proposed working-class residences are designed and constructed properly under the oversight of qualified individuals. Consequently, a provision was included into the Housing of the Working Classes (Ireland) Bill, 1919, as follows:

> *"The Local Government Board may make rules for carrying the Housing Acts into effect, and in particular for prescribing the duties, conditions of employment, and qualifications of officers and other persons employed by local authorities in the execution of those Acts; provided that any rules with respect to the qualifications or conditions of employment of architects to be so employed shall be made after consultation with the President of the Royal Institute of the Architects of Ireland."*[133]

Subsequent to the establishment of the Free State, the local authorities' house-building initiative was curtailed, as the central government demonstrated reluctance to sustain the long-term subsidisation of public housing initiated by the Labourers (Ireland) Act, 1906, and the Housing Act, 1908, or to favour public housing over private construction. The Housing (Building

---

[133] *'Societies and Institutions' [1920] The Builder's Journal and Architectural Engineer*

Facilities) (Amendment) Act, 1924 provided sums comparable to private grants for urban local authority housing construction; however, the Housing Act, 1925 shifted the advantage towards local authorities by capping private grants at £75 while preserving standard grants of up to £100 per house for urban authorities and expanding this subsidy to encompass labourers' cottage schemes. Nonetheless, challenges in securing bank loans, along with the elevated expenses associated with this financing option, hindered local authorities from executing extensive construction initiatives. Output only started to rise markedly in 1929, when the government resolved to reinstate the practice, which had been halted since 1922, of assisting local administrations with state capital. The Minister for Finance reinstated the local loans fund, facilitating low-interest loans for public housing construction. Consequently, the production of urban local authority residences increased to 1,789 in 1929, whilst construction under the Labourers Acts remained minimal, with just 385 units produced by rural local authorities from 1923 to 1930. Nevertheless, this increased level of production remained inadequate to satisfy housing demand in urban areas.[134]

As per the 1938 book, '*Readjustments of Agricultural Tenure in Ireland*,' another key piece of legislation introduced by the Irish Free State was the Land Trust Powers Act, 1923. A similar act, bearing the same name, was also passed in the Northern Ireland parliament.[135] This Act authorised the Irish Sailors and Soldiers Land Trust [this organisation was created via the Irish Free State (Consequential Provisions) Act, 1922 (UK)], contingent upon certain circumstances, to procure and retain land in Saorstát Éireann, and any other powers deemed essential for the Trust to fulfil the objectives of (the UK Act) in Saorstát Éireann. According to the UK statute, the Trust consisted of five members: three appointed by a British Secretary of State, one nominated by the President of the Executive Council of Saorstát Éireann, and one appointed by the Prime Minister of Northern

---

[134] *Local Government in Ireland (Institute of Public Administration 2003)*

[135] *Elizabeth Hooker, Readjustments of Agricultural Tenure in Ireland (University of North Carolina Press 1938)*

Ireland. The Trust's dissolution seems to have occurred in 1987, with surplus funds allocated among the Governments.[136] This is relevant from the standpoint of rural society, because the State predominantly constructed modest new residential developments for British war veterans along the outskirts of the larger rural districts, such as market towns. Despite occurring after the establishment of the Free State, there was an obligation to meet the demands of the Irish Land (Provision for Soldiers and Sailors) Act 1919.[137]

From the creation of the Irish Free State, affordability was a significant problem for housing suppliers. The local authorities got credit under the million-pound plan, which included loans at an interest rate of 4.5 percent per year over a 15-year payback term. The loan's short duration resulted in elevated rentals for the residences constructed by the councils. In a Dáil inquiry in 1927, a TD for Sligo, John Jinks, asserted that the rents of 24 residences constructed by the Sligo Corporation at Cleveragh and Ballytivnan under the 1922 scheme were excessively high, rendering it challenging for tenants to afford them, prompting the tenants to petition the Corporation for a reduction to a more equitable amount. Regrettably, the banks declined to prolong the loan payback time, which would have allowed local authorities to lower rents without increasing the rates burden. In light of these conditions, several local councils determined to dispose of their 'million-pound grant' residences. The choice to sell these dwellings was motivated more by pragmatism than philosophy, however the overall outcome was to encourage owner-occupation, especially when combined with the encouragement of private house development under the 1924 and 1925 Housing Acts.

By the conclusion of 1924, several local authorities had finished their projects funded by the million-pound grant, prompting the introduction of the Housing (Building Facilities) Amendment Act of 1924 to bolster local government housing. The updated

---

[136] 'Land Trust Powers Act 1923 (No. 25 of 1923)' (Irish State Administration Database)

[137] Aalen, F. H. A, 'Homes for Irish Heroes: Housing under the Irish Land (Provision for Soldiers and Sailors) Act 1919, and the Irish Sailors' and Soldiers' Land Trust' (1988) 59 The Town Planning Review 305

program, as per the 1925 Housing Act, provided increased subsidies per dwelling to local authorities and public utility organisations, while offering reduced grants to private individuals, and also expanded its application to local councils functioning in rural regions under the Labourers (Ireland) Acts. Nevertheless, the majority of local authorities had challenges in securing loans to cover the remaining expenses, rendering the execution of substantial projects unfeasible. A result was the 'reduced cost' housing blueprint developed by the Department of Local Government and Public Health. Between 1922 and 1927, local authorities had constructed 6,500 dwellings, supplementing the 9,000 erected in the preceding 40 years. Notwithstanding governmental efforts, the quantity of housing supplied by local authorities according to the 1924 Act was minimal.[138]

Fiona Gallagher highlights in '*Re-Housing the Urban Poor in Irish Country Towns*' that while the Housing Act of 1924 had additional extensions with fresh Acts in 1925 and 1926; nevertheless, the chronic inability of individual local administrations to maintain a sufficiently robust fiscal position to secure significant loans from Irish banks resulted in a limited amount of constructed dwellings. The Housing Act 1928 was enacted to repeal the Housing Act 1926 and, in its place, amend the Housing Act 1925. The amendments related to the total amount of grants provided under the 1925 Act, the timeframe set for the construction or reconstruction of houses covered by that legislation, and other necessary adjustments resulting from the repeal of the 1926 Act. In 1929, government subsidies were further reduced, and the Minister for Local Government, Richard Mulcahy, contentiously asserted that the duty for working-class housing rested with local authorities rather than the state, claiming that the state wallet should not subsidise private dwellings. Local administrations could not implement housing programs without government support, since they were unable to get the requisite funds in the free market. In response to demand from Fianna Fáil, amendments were enacted to the 1929 statute, allowing local authorities to solicit social housing loans from the Local Loans Fund. Nevertheless, the Wall Street

---

[138] Ruth McManus, 'Tackling the Urban Housing Problem in the Irish Free State, 1922–1940' (2018) 46 Urban History 62.

meltdown in October of that year substantially constrained financial resources.[139] [140]

According to Heather Laird of University College Cork, the inflexible notion of private property that came to dominate post-independence Ireland was not only rooted in earlier land legislation, but also reinforced by a powerful national myth. This narrative equated the anti-colonial struggle with the reclamation of land, framing Irish freedom as a matter of restoring land ownership to the Irish people. Crucially, this idea interpreted ownership in its most limited, individualistic form—aligning national liberation with private property rather than more communal or collective models. This conflation of national identity with that of private landownership had far-reaching consequences. One of its clearest expressions was the early Free State's policy preference for private home ownership over other forms of housing provision, effectively marginalising alternatives such as public or cooperative housing. Laird suggests that challenging this deeply entrenched association between political sovereignty and exclusive landownership requires looking to the diversity of land-use practices and property concepts present in Ireland's own history. She points to a range of examples from the nineteenth and early twentieth centuries that offer alternative visions of ownership and use. These include the Owenite agrarian experiments led by William Thompson and John Scott Vandeleur, the communal clachan or rundale system of landholding, and the customary occupancy rights that tenant farmers asserted long before legal protections were in place. Further examples include Michael Davitt's call for the nationalisation of land, James Connolly's vision of Gaelic common-ownership, and various collective farming initiatives in the early 1920s. Together, these historical models offer a counterpoint to the dominant narrative, showing that Irish land

---

[139] *FM Gallagher, 'Re-Housing the Urban Poor in Irish Country Towns' (NUI Maynooth2016)*

[140] *'Housing Act 1928' (Irishstatutebook.ie1928)*

politics were once more varied, and not always centred on private ownership as the endpoint of national aspiration.[141]

As per Ernest Blythe, in a money resolution regarding what would become the Housing Act 1930, he stated that it was necessary to approve the allocation of funds from monies provided by the Oireachtas for grants issued under any Act passed in the-then current session to amend the Housing Acts of 1925 to 1929, as well as the Housing Act 1929. He specified that the total sum of grants issued or to be issued under the Housing Acts of 1925, 1928, 1929, and the new Act of 1930 should not exceed £1,250,000. He clarified that the motion simply proposed an increase of £200,000 in State Grants.[142]

In the final debate before the Housing Act 1930 was passed, Senator Tom Johnson (Labour) highlighted the government's proposed policy as an attempt to address the housing crisis. Over time, certain aspects of this policy had been revealed, including the government's intention to abolish rent restrictions and subsidies for building as soon as possible. Furthermore, responsibility for reducing construction costs was to be left entirely to the building industry, without government intervention. Johnson believed the Minister acknowledged the need for a distinct approach to the issue of slums and those living in such conditions. He sought clarification on the Minister's plans regarding this aspect of the housing problem. He criticised the Minister's approach, arguing that removing rent restrictions, eliminating building subsidies, and relying solely on the industry to construct affordable housing for half of Dublin's working population failed to adequately address the problem. In his view, the Minister's policy outline, as presented over time, remained entirely unsatisfactory.

Minister Richard Mulcahy responded to Senator Johnson's request for a statement on the government's approach to addressing the slum problem in Dublin. He argued that such a

---

[141] *Heather Laird, 'What Are the Roots of the Irish Obsession with Property?' www.rte.ie (21 March 2019) <https://www.rte.ie/brainstorm/2019/0321/1037676-what-are-the-roots-of-the-irish-obsession-with-property/>.*

[142] *'Dáil Éireann Debate - Friday, 13 Jun 1930' (Oireachtas.ie1930)*

discussion was premature when there was no general agreement on other key aspects of housing policy. Johnson had characterised the government's approach as one of removing rent restrictions, eliminating subsidies, and allowing the building trade to develop independently. In response, Mulcahy questioned why there should be any restrictions on rent, why subsidies should be provided for house construction, or why the government should interfere with the organisation of the building trade. He suggested that these were fundamental issues that needed to be addressed openly.

He acknowledged that a large number of people were living in difficult conditions, particularly in Dublin, and needed proper housing. If affordable housing was to be provided within the city —where most families wished to live close to their workplaces— it would also be necessary to ensure that reasonably priced homes were available in areas outside the city. He emphasised that, while addressing urban housing needs, the government was also expected to allocate funds to support private house construction, assist rural labourers in securing homes, and subsidise housing for workers in towns to ensure affordability.

Mulcahy further noted that, in the last Housing Bill, the government had chosen to prioritise the construction of four-roomed houses over five-roomed ones. However, this decision had been met with criticism from Senator Johnson's party, which, he argued, had failed to fully consider the realities of housing conditions.

Minister Richard Mulcahy also reiterated that, in a State where agriculture was the primary industry, it had been argued that, since workers in non-rural industries made up more than half of the population, they also required housing assistance. However, providing such support meant that housing for the very poor could not be prioritised, resulting in a prolonged effort to eliminate the poor housing conditions inherited from previous decades.

He explained that the current Housing Bill was a continuation of the government's policy to provide housing, stimulate the building industry, and help it become self-sufficient. The

approach involved offering subsidies to encourage private capital investment in house construction until housing costs stabilised at a normal level. This policy had already supported the building industry and attracted private investment by providing subsidies to local authorities and public utility societies. The new Bill was an extension of these efforts.

Mulcahy advised the Seanad not to expect such Bills to be introduced on an annual basis. The government, he claimed, was working towards a stage where housing policy would be addressed comprehensively, taking into account all housing needs. He looked forward to a future where there would be no rent restrictions and no subsidies for housing—except in cases involving the very poor or the clearance of insanitary areas—allowing the building industry to operate independently, like any other sector at that period in time.[143]

The Housing (Miscellaneous Provisions) Act 1931 instituted significant legal and policy alterations, notably the implementation of Compulsory Purchase Orders by local authorities, in accordance with precedents established in Britain and Northern Ireland. This significantly facilitated local authorities in eradicating slum regions, and the Act enhanced authority to mandate owners of slum properties to renovate or demolish the structures. Local authorities may also enter a dilapidated structure and do the necessary repairs, with the expenses charged to the owner. The Act of 1931 aimed to differentiate between the higher-paid artisan class and the casual unskilled labourer, focussing financial subsidies on aiding the latter in inadequate housing. The Act revised the Small Dwellings Acquisition Act 1899, permitting the disbursement of house purchase loan instalments in phases, rather than upon completion, so fostering a market for private construction. The 1931 Act was adopted by the subsequent Fianna Fáil lead (Labour supported, by confidence and supply) Government in 1932, which expanded the subsidies allocated to local authorities in the Housing (Financial and Miscellaneous Provisions) Act 1932. These Acts formed the subsidy framework for low-income housing in the State for decades, enhancing the system of State

[143] *'Seanad Éireann Debate - Thursday, 3 Jul 1930' (Oireachtas.ie1930)*

support to local authorities, through annual subsidies on loan charges.[144]

As an article published by the Jesuit Centre for Faith & Justice in Ireland notes, the 1931 housing law, which directed subsidies to the generally impoverished segment of the population, was adopted by the new Fianna Fáil Government, and the subsequent decade formulated the method for State support to local authorities via yearly subsidies on loan rates. During the decade after 1932, around 82,000 residences were constructed, mostly with State subsidies for the government as well as the private sector. By 1940, almost 41% of the Irish housing inventory had been constructed by county councils and city corporations, far exceeding the 25% in England and Wales. Putting money in accommodation, like it does now, had significant broader implications. In several respects, it constituted a public works initiative. It was mandated that every one of grant-aided dwellings employ Irish-based supplies, including Killaloe Slates, Dolphin's Barn Bricks, cast iron from Hammond Lane, and Irish Cement.[145]

The 1931 Act was complemented by the the 1932 Housing Act, which aimed for the government to fulfil the state's total housing requirements, estimated at 75,000 dwellings, within a decade. The Acts urged local authorities to focus on slum eradication and housing provision for the impoverished. Private enterprises were also incentivised to construct properties for rental purposes. The 1932 Housing Act established varying monetary contributions for local authorities based on the form of housing supplied. Two-thirds of annual loan costs were allocated for the resettlement of individuals from slum clearances, one-third was allocated under the Housing of the Working Classes Acts, and three-fifths under the more rural-oriented Labourers Acts. The 1932 Act preserved opportunities for public utility organisations and private persons. A fresh landscape of peripheral local authority development projects was forming

---

144 'Outline of the Development of the Irish Housing System', Housing Law, Rights and Policy (Clarus Press 2011)

145 '100 Years of Irish Housing' (Jesuit Centre for Faith and Justice in Ireland20 January 2022)

outside of the cities, spanning across numerous rural towns. The amount of dwellings in each of these communities surpassed 100. During the period of 1932 to 1940, over 100 dwellings were built in 42 rural towns throughout the nation. For instance, in 1928, 26 more humble and inexpensive homes were constructed in Nenagh, County Tipperary, following the completion of only 8 "million pound" grant houses. Conversely, the 111-house slum clearance program at St. Joseph's Park in 1936 was referred to as "a new town in miniature," that lead to a 10% rise in the town's residential inventory.[146]

The Housing Acts of 1924, 1925, 1929, and 1932, among others, enabled land acquisition, building finance, and, importantly, the long-term rental financing via state subsidies. These Acts also demonstrated a changing perception of the state's role in welfare provision: transitioning from a minimum source of assistance to a more interventionist entity responsible for guaranteeing fundamental living conditions.[147]

In 1932, the Cork Corporation Manager, Mr. Philip Monahan, indicated that the Housing Act of 1932 envisioned three types of construction activities:

(1) the clearance of slum areas and the relocation of residents by local authorities;
(2) the construction of rental housing for the working class by Public Utility Societies; and
(3) the construction of homes by individuals with support from local authorities via the Acquisition of Small Dwellings Act.

Mr. Monahan asserted that, although the Act's intent was commendable, its stipulations were ambiguous and imprecise in some aspects, especially those pertaining to governmental financial support. The Government were in a position to provide grants up to two-thirds of the annual loan charges incurred by a local authority for a slum clearing plan, but it was not obligated to issue any subsidies whatsoever. He observed that local

---

[146] *'Housing the People - Looking to the Future: The 1931 & 1932 Housing Acts' (Royal Irish Academy2023)*

[147] *Tadgh Quill-Manley, Homes by the Lee: Housing a Free State City, 1922-1942 (2025).*

authorities involved in slum clearance lacked the guarantee that the Government would assume responsibility for two-thirds of their loan expenses, or any fraction thereof. He deemed this situation undesirable, and in the lack of explicit national policy, local authorities, in his view should not be held accountable for their delayed progress.[148]

A another key piece of legislation to be implemented was the Labourers' Act 1936. This was enacted to provide for the purchase of cottages and plots by their tenants, which had been provided under the Labourers Acts of 1883 to 1931. It also aimed to amend those Acts and address various related matters.[149] The Labourers Act of 1936 facilitated the offering of these homes to the occupying tenants.[150] According to Diarmuid Ferriter, Eamon de Valera harboured a strong personal focus regarding this endeavour. Although this, combined with other housing measures, didn't completely remedy the problems of rural Ireland, success occurred in the direction of the claim to establish "frugal contentment" in the "cosy homesteads" across rural Ireland.[151]

As Desmond Roche notes, the Labourers Act of 1936 was enacted after a period of substantial delay. It mandated health boards to develop sale programs for all their cottages, with annuities generally set at 75 percent of the rent, excluding rates. The duration of each terminable annuity had generally corresponded to the loan term, minus the age of the dwelling. Prior to transferring ownership of the cottage to the tenant-purchaser, the board of health was required to ensure the cottage was in proper repair and hygienic condition. The annuity may be combined with any property purchase annuity owed by the renter. Cottage acquisition programs required the Minister's

---

[148] Tadgh Quill-Manley, Building a New City: Cork's Public Works, 1920-1945 (2025).

[149] 'Labourers' Act 1936' (Irishstatutebook.ie1936)

[150] Michael Flannery, Sanitation, Conservation, and Recreation Services in Ireland (Institute of Public Administration 1976)

[151] Diarmuid Ferriter, Judging Dev: A Reassessment of the Life and Legacy of Eamon de Valera (Royal Irish Academy 2007)

permission, and were then subjected to examination by the Dail. Tenants expressed considerable clamour for the reduction of annuities, and in 1951, the Minister acquiesced; the calculation basis henceforth was 50% of the rent.[152] Although, prior to granting his permission for the purchase schemes as per the Labourers Act of 1936, the circumstances in each county would be meticulously evaluated by the government, and all challenges submitted within a designated timeframe were to be duly examined.[153]

In a written Dáil reply from 1962 by then Minister for Local Government, Neil T.C. Blaney TD, a 1959 circular in reference to the sale of vested cottages, relating to the Labourers' Act 1936, was presented. In this, the Minister for Local Government had directed that special consideration be given to the experiences of housing authorities, as indicated by the representations sent to the Department over time, concerning the sale of vested cottages. Based on this review, the Minister suggested that the administrative principles outlined might assist and guide housing authorities generally. The vesting of a cottage was subject to prescribed conditions, which, among other things, restricted the purposes for which the cottage could be used and regulated its alienation. These conditions continued to apply during the period the purchase annuity was payable, even if the cottage had been sold with the housing authority's consent. The Labourers Act, 1936, did not prevent a housing authority from consenting to the sale of a vested cottage to someone who was prohibited by the conditions of vesting from using the cottage as their accommodation but could demonstrate to the housing authority that the cottage would be used for a qualified tenant's accommodation. In some circumstances, housing authorities had the power to suspend, with the Minister's consent, any of the vesting conditions that restricted the use of the cottage. The Labourers Act, 1936, did not prevent the owner of a cottage from letting it, as long as the letting did not violate any statutory conditions restricting the purposes for which the cottage could be used at the time. The authority conferred by Section 16 of the

---

[152] *Desmond Roche, 'Local Government in Ireland' (Institute of Public Administration1982)*

[153] *Irish Times 21/10/1937*

Labourers (Ireland) Act, 1885, allowed housing authorities to acquire a cottage by agreement for the purposes of the Labourers Acts, even in relation to cottages vested under the Labourers Act, 1936.

It was evident from the above that a housing authority could, at its discretion, consent to the sale of a vested cottage to someone who did not meet the statutory definition of "agricultural labourer". Housing authorities had occasionally exercised this discretion by consenting to sales to individuals generally regarded as part of the working classes rather than agricultural labourers, provided their need for rehousing had been established. In such cases, the Minister had consented to suspending the conditions that would otherwise prevent individuals from using the cottages for their own accommodation. The Minister believed that this practice was in line with the recent trend in legislation and practice to integrate rural and urban housing codes, narrowing the statutory distinction between "agricultural labourers" and "persons of the working classes". As such, the Minister saw no objection to housing authorities consenting to the sale of a vested cottage to someone who, although not typically an agricultural labourer, was in need of rehousing, and he was prepared to consent to the suspension of any relevant conditions of vesting in such cases. Courts had ruled that the failure of a purchaser to reside in a cottage did not, in itself, constitute a breach of the statutory conditions of vesting, and therefore, the housing authority could not recover possession of the cottage solely on that basis. Housing authorities were responsible for ensuring compliance with the statutory conditions of vesting, including the requirement that the purchaser maintain the cottage in good sanitary condition and repair. Consequently, housing authorities were required to ensure that no vested cottage, especially if left vacant, was allowed to deteriorate or become insanitary. They had the authority to initiate proceedings to recover possession if it was found that the statutory maintenance conditions were not being met.

As a matter of policy, housing authorities were generally discouraged from purchasing any vested cottage in which the owner was still residing. However, the Minister believed that it

would not be appropriate to withhold approval for the purchase of a vacant vested cottage by a housing authority if withholding such approval would result in the cottage remaining empty. In exceptional cases, where a cottage was vacant and recovery of possession under the Labourers Act, 1936, was not applicable, the Minister had no objection to a housing authority purchasing the cottage to meet the housing needs of an eligible person, provided no other eligible purchaser was available. The Minister made it clear that he would not approve the purchase of a vested cottage by a housing authority if it was competing with someone to whom it could normally be sold under the Labourers Act, 1936. Additionally, should a housing authority purchase a vested cottage for re-letting, the relevant purchase scheme under which it had been vested would no longer apply, and the authority would need to create a new scheme under the Labourers Act, 1936.

If the owner of a vacant vested cottage proposed selling it to a farmer for use by the farmer's workman, the Minister would not object to the housing authority giving consent for such a sale, as long as no other eligible purchaser was available. However, the Minister emphasised that such sales would only be considered in exceptional circumstances, where no other eligible purchaser could reasonably use the cottage as their own accommodation. He was of the view that unrestricted sales of vested cottages to individuals outside the classes who would typically be rehoused by local authorities would undermine the fundamental principles of the cottage purchase procedures. Nonetheless, the Minister was confident that, if the housing authority enforced the statutory conditions on the use of the cottage, any sale to a farmer for housing their workman would prevent the cottage from being used for any purpose other than its original intent.[154] The later Housing Act 1966 would also refer to the 1936 Act, in which the issuance, pursuant to section 97, of a declaration that an individual to whom a labourer's cottage is leased immediately prior to the enactment of section 97, by virtue of section 24 of the Housing (Amendment) Act, 1950, is classified as a qualified person under section 16 of the Labourers Act, 1936, concerning

[154] *'Dáil Éireann Debate - Thursday, 19 Jul 1962' (Oireachtas.ie1962)*

the transfer of fee simple ownership of such cottages to the tenants.[155]

It's also highlighted in an edition of '*Byrne & McCutcheon on the Irish Legal System*' that, in *Mogul of Ireland Ltd v Tipperary (North Riding) County Council*,[156] Section 1 of the Malicious Injuries (Ireland) Act 1853 was interpreted in conjunction with Section 135 of the Grand Jury (Ireland) Act 1836, as both were considered part of the same legislative framework. Similarly, the Redundancy Payments Act 1967 and the Minimum Notice and Terms of Employment Act 1973 were construed as being in *pari materia*. Likewise, the phrase "total income brought into charge" in the Corporation Tax Act 1976 was regarded as in *pari materia* with "profits or gains brought into charge" in income tax legislation. Conversely, the Finance Act 1975 and the Value Added Tax Act 1972 were determined not to be in *pari materia*, nor were the Oireachtas Act 1936 and the Landlord and Tenant Act 1931.[157]

It would become clear that the provisions of the Labourers' Act 1936 would lead to constitutional conflict in the future. In particular, this would be Article 43.1.1, which states that:

> *"the State acknowledges that man, in virtue of his rational being, has the natural right, antecedent to positive law, to the private ownership of external goods." Furthermore, this also entails Article 43.1.2, which declares that "the State accordingly guarantees to pass no law attempting to abolish the right of private ownership or the general right to transfer, bequeath, and inherit property."*[158]

---

155 TP Golden, Local Authority Accounting in Ireland (Institute of Public Administration 1977)

156 [1976] IR 260

157 R Byrne and P McCutcheon, Byrne & McCutcheon on the Irish Legal System (C Bruton and G Coffey eds, 6th edn., Bloomsbury Professional 2014)

158 'Constitution of Ireland' (European Union Agency for Fundamental Rights25 October 2018)

One notable case in which legislation was challenged on the grounds of violating Article 43 was *Meade v. Attorney-General and Cork County Council.*[159] Under the Labourers and Housing of the Working Classes Acts, cottages had been provided at low rents for individuals eligible under these Acts. As previously mentioned, the Labourers Act 1936 introduced a scheme allowing occupants of such cottages to purchase the freehold reversion from the housing authority, with payment made through a terminable annuity.

Additionally, Section 98 of the Housing Act 1966 stipulated that, during the annuity payment period, the occupier could subdivide or assign the cottage and its associated plot, but only with the housing authority's consent. As a condition for granting consent, the housing authority was required to demand a payment from the occupier, with the amount subject to approval by the Minister for Local Government. The plaintiff challenged this provision, arguing that it unconstitutionally interfered with her property rights by imposing a new condition on fee simple ownership.

The High Court dismissed the action, reasoning that the sum payable—slightly less than one-third of the market value of the property as a single unit—was neither unreasonable nor oppressive. By permitting occupiers to subdivide or sell, the legislation effectively increased the market value of labourers' cottages, making it reasonable for housing authorities to recoup some of this added value as reimbursement for providing the cottages at below-market rents. The court's rationale aligned with the reasoning in the similar *Foley* case, noting that the plaintiff had benefited from a scheme funded by public money without incurring any capital expenditure herself. As a result, her position differed significantly from that of a typical landowner, having utilised the advantages of the programme, she ought to be ready to be bound by any onerous conditions associated with it.[160]

---

[159] [1974] 7 JIC 3103

[160] JW Bridge, Fundamental Rights; a Volume of Essays to Commemorate the 50th Anniversary of the Founding of the Law School in Exeter, 1923-1973 (University of Exeter 1973)

Michelle Norris also notes that tenant purchase, as enabled by the Labourers' Act 1936, did not fully spread its wings until annuities decreased even more to 50% of rents in 1951. However, by 1966/67, 76.8% of all rural social housing constructed by that date (68,444 residences) had been acquired by tenants. The local authorities' housing development loans servicing costs were only 37% met by the rents of rural social housing tenants in the early to mid-1930s. Nevertheless, a 50% decrease in those revenues could have severely jeopardised the economic viability of this field and needed the production of income from other means to service housing development loans. It is also highlighted that principal civil servants and ministers in the housing ministry were deeply concerned about this issue. Their rejection played a significant role in delaying the implementation of a reduced selling price for social housing for metropolitan tenants for thirty years, even though tenants' associations and politicians of all stripes had campaigned for this right to be granted to rural tenants. Legally, there was a difference between social housing supplied under the provisions of the Labourers' Acts and the Housing of the Working Classes Acts, but that all altered when the 1966 Housing Act combined all prior social housing laws. Tenants in both urban and rural social housing were therefore granted identical tenancy rights, notably a discounted home-buying option.[161]

The 1936 Act was tweaked by the Housing and Labourers' Act 1937, which was enacted to amend and extend the Housing (Financial and Miscellaneous Provisions) Acts 1932 to 1936. It also modified sections 16 and 17 of the Labourers Act 1936, and addressed other related matters arising from these amendments.[162]

In a Dáil debate, Timothy Linehan, who was a solicitor and Fine Gael TD for North Cork, argued that it was entirely unjust for landlords, tenants, or anyone else in the State to be placed in a

---

[161] *Michelle Norris, 'Financing the Golden Age of Irish Social Housing, 1932-1956 (and the Dark Ages Which Followed)' (UCD 2018)*

[162] *'Housing and Labourers' Act 1937' (Oireachtas 1937)*

position where this Bill of 1937 appeared to grant them certain rights, only for them to later discover they had no such rights. He illustrated this by considering the case of a landlord who, under the Minister's condition, was authorised to charge a weekly rent of six shillings. If a tenant paid this amount for six years but later, following a court ruling, learned that the landlord was not entitled to charge that rent and that the standard rent should have been lower—perhaps three, three and six, or four shillings—the tenant could then sue the landlord to recover the excess payments made over those years. Linehan urged the Minister to address this issue rather than leave an ambiguity for the courts to resolve. He insisted that the Minister could not dismiss the concern outright, and if the issue were unfounded, it should be easy to disprove. He maintained that it was unfair for future landlords and tenants to be left uncertain about their legal standing under both this Act and the Increase of Rent Act.

Timothy Linehan also pointed out that the Minister still acknowledged the possibility that a future Minister or local authority might disregard the Rent Restrictions Act and permit either a higher or lower rent. He argued that the Minister should not enact legislation while leaving such a possibility unresolved, even if it seemed unlikely. According to Linehan, uncertainties of this nature often lead to litigation, and it was essential to eliminate any ambiguity in the law.[163]

The Housing and Labourers' Act 1937 would possess a major influence on house-building for years to come. As per the annual reports of the City Medical Officer of Cork Corporation during the early 1950s, assistance to private persons and public utility societies under this Act stood at £1,196 in 1952,[164] again at £1,196 in 1953,[165] and £7,253 in 1954.[166]

---

[163] *'Dáil Éireann Debate - Friday, 17 Dec 1937' (Oireachtas.ie1937)*

[164] *'Report of the City Medical Officer for the Year 1952' (Cork Corporation1953)*

[165] *'Report of the City Medical Officer for the Year 1953' (Cork Corporation1954)*

[166] *'Report of the City Medical Officer for the Year 1954' (Cork Corporation1955)*

It is worth noting that, from 1911 until 1936, no tenant-purchase initiative was offered. The efficacy of this program is shown by the statistic that 80% of cottages constructed under the Labourers Acts were owner-occupied by the mid-1960s. The 1936 Act in particular had established an example mandating that any social housing would have an expectation of discounted tenant purchase. Throughout the 20th century, the concept of "asset-based welfare" became integral to Irish housing policy, occurring many decades prior to the extensive transfer of public housing seen in the United Kingdom during the 1980s. The strategy significantly impacted house ownership rates in Ireland: by the early 1990s, 79 percent of property was owner-occupied, a stark increase from only 10% in 1922. Notably, 25% of all owner-occupied residences in 1991 were formerly social housing. Meanwhile, the outcome of cottages constructed under the Labourers Acts in Northern Ireland was markedly different. Although there was some restricted opportunity for tenants to acquire labourers' cottages in Northern Ireland, just 348 cottages were sold prior to the official facilitation of the procedure in 1975, some four decades after analogous facilities were established in Éire. The 'Right-to-Buy' was subsequently universalised by the Northern Ireland Housing Executive House Sales Scheme in 1979, a statute that closely mirrored other initiatives throughout the UK.[167]

The Housing (Amendment) Act 1939 was later passed to amend and extend the various provisions of the Housing (Financial and Miscellaneous Provisions) Acts of 1932-1937.[168] In the final debate prior to its enactment, Sean T. O'Kelly TD, then Minister for Local Government and Public Health, explained that the Bill aimed to extend the deadline for completing houses eligible for grants under the Housing Acts of 1932–1937 and to apply certain rating provisions to urban areas covered by the 1936 Amendment Act. He believed it would be useful to provide the Seanad with details of the funding allocated to private individuals and public utility societies since 1932, along with an

---

[167] *Alan De Bromhead and Ronan C Lyons, 'Rooted to the Soil: The Impact of Social Housing on Population in Ireland since 1911' (QUB 2021)*

[168] *'Housing (Amendment) Act 1939' (Oireachtas.ie1939)*

overview of the housing projects supported by these grants. He recalled that the 1932 Act had originally allocated £700,000 for housing grants, but this amount quickly proved insufficient. Additional funds were secured through subsequent Acts, bringing the total provision to £3.5 million by 1937. By early 1939, £3.1 million had already been assigned to build or renovate 61,777 homes, with 36% directed towards reconstruction, 20% to urban housing, and 44% to rural housing.

O'Kelly stressed that the Bill was necessary because the existing deadline for grant-eligible housing completion was about to expire. However, he clarified that the measure did not propose any changes to grant rates or additional funding. By the previous month, £390,000 remained unallocated, which he considered sufficient to cover upcoming commitments.

Discussing urban housing grants, he pointed out that these had been discontinued due to shifting priorities and feedback from builders, who found the subsidies of little significance. However, acknowledging representations made to him regarding nearly completed homes, he explained that the Bill allowed an extension for their completion. He also noted a key change in the Bill—extending the deadline for public utility society projects from one year to three, recognising the lengthy negotiations involved in such schemes.

He further addressed a technical issue regarding rate remissions, explaining that a provision in the Bill would remove any uncertainty about whether houses built under a 1936 amendment were entitled to the same benefits as those under the original 1932 Act. He emphasised the urgency of the measure, as over 15,000 approved houses remained unfinished, and an extension was essential to ensure grant payments for ongoing projects. O'Kelly concluded by stating that of the £3.5 million allocated across five Housing Acts, £2.47 million had already been disbursed, leaving more than £600,000 yet to be distributed.

Frederick Hawkins, an Independent Senator, expressed several fears about the Bill, particularly regarding the cessation of grants

in urban areas. He strongly opposed this decision, arguing that, without subsidies, urban construction would come to a halt, as it had already nearly ceased. He urged the Minister to extend the timeframe for urban housing grants to match that of rural areas or, at the very least, to allow an extension where approval certificates had already been issued. Citing specific examples from Galway City, he highlighted houses that had been approved but remained incomplete due to issues such as water and sewerage shortages, stressing the need for a deadline extension in such cases.

Hawkins also drew attention to individuals of limited means who had received partial grants but were struggling to complete their homes due to financial difficulties. He mentioned a particular case of a workingman who had already received half of his grant but faced the risk of losing the remaining portion—and potentially being required to repay what he had already received—if he could not finish construction by the deadline. He warned that such situations would have severe consequences for struggling homeowners.

Critiquing the Minister's overview of housing figures, Hawkins argued that the official statistics did not provide a full picture. He noted that additional houses had been built through Gaeltacht grants and the Land Commission, and that a more accurate count would emerge if these were included. He also advocated for better coordination between different agencies involved in housing inspections, noting that separate assessments by the Land Commission and Local Government Department created inefficiencies.

Reflecting on the Minister's previous statements, he recalled that the decision to halt urban housing grants had been justified by the availability of alternative supports, such as loans and reconstruction grants. While acknowledging that some local authorities had successfully issued loans under the Small Dwellings Acts, he argued that overall, the system was inconsistent. He suggested that Ireland should consider a tenant purchase scheme similar to the Federal Housing Administration model in the United States, which he believed would be both cost-effective and well-managed. He was sceptical of relying on

local authorities for loan distribution, preferring instead to encourage private enterprise and public utility societies to take a leading role in housing development. In his view, local authorities should focus on slum clearance while leaving the provision of better-quality housing to private initiatives.

Hawkins raised additional worries about restrictions on floor space for new houses. While agreeing that a minimum of 500 square feet was necessary, he opposed any cap on house size, arguing that such limitations had led to unintended consequences. He cited examples where homeowners, upon realising their houses exceeded the grant threshold, converted rooms into shops or offices to qualify for funding, resulting in an excess of unused commercial spaces. He urged the Minister to reconsider this restriction, particularly given its impact on public utility societies, which faced significant financial losses due to the new limits.

He concluded by highlighting the dire housing conditions in some rural areas, particularly in Galway, where certain villages had worse living standards than urban slums. He argued that in cases where residents lacked access to loans due to insufficient assets, larger grants should be made available. He proposed that the forthcoming Housing Bill include provisions for increased financial support in cases certified by medical officers, especially where poor housing conditions contributed to illnesses such as tuberculosis.

Hawkins reiterated his main appeals to the Minister: to extend urban housing grants, reconsider the restriction on house size, and introduce more flexible funding provisions in the next Housing Bill to better address the needs of the most vulnerable.

O'Kelly responded to Senator Hawkins by explaining the rationale behind the Bill, stating that it arose due to widespread requests in the Dáil to extend the period for urban housing grants. He emphasised that the government had given ample notice of its intention to phase out these grants. As early as 1936, he had signalled that urban grants would be discontinued, a position he reiterated in 1937. The grants had officially ceased on 30th September of the previous year, but at that time,

approximately 260 houses across the country—many of them in Dublin—had been left just short of meeting the necessary criteria for grant eligibility. The Bill was, therefore, introduced in response to appeals from public utility societies and members of the Dáil from all parties, seeking an extension for houses nearing completion.

O'Kelly then addressed the issue of rate remission by local authorities, which formed the second part of the Bill. He noted that builders had expressed uncertainty about whether rate remissions were still in effect, and to clarify the situation, the Bill explicitly confirmed their continuation. While Senator Hawkins was not present at that moment, O'Kelly wished to make it clear that he had no intention of extending urban grants beyond the timeframe outlined in the Bill. He argued that the grants had not played a significant role in stimulating house-building in urban areas, citing figures that showed the majority of urban house-building had taken place in Dublin, Dun Laoghaire, and Howth. Builders themselves, he claimed, had indicated that the grants were not a major factor in their decision to construct houses. Given this, along with financial constraints, the government had decided to discontinue urban grants while maintaining them in rural areas—a policy they fully intended to uphold.

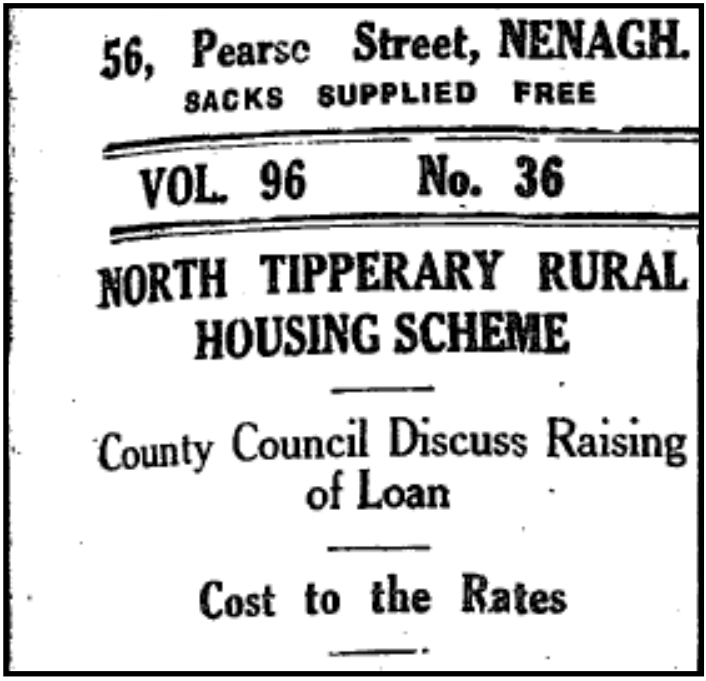
Turning to Hawkins' comments on housing provided by local authorities and the Gaeltacht Acts, O'Kelly clarified that the Bill was unrelated to either of these matters. He also reassured him that while the subsidy was ending, the remission of rates remained in place. He pointed out that local authorities in Dublin had, on at least two occasions, assisted private societies in building houses for rental purposes by providing grants under the 1932 Housing Act and subsequent legislation. However, he expressed disappointment that this aspect of the law had not been more widely utilised.

Responding to Hawkins' argument against floor space restrictions, O'Kelly countered that removing such limits would create significant challenges. He stressed that the government's primary objective was to encourage the construction of housing for the working class. Without a restriction on floor space, he argued, grants could be claimed by individuals who did not

actually require financial assistance. For that reason, he maintained that the limitation was both necessary and appropriate.

Furthermore, O'Kelly firmly dismissed any prospect of the government increasing grants for rural areas beyond what was already provided under the existing Act. He reiterated a point he had frequently made—that the grants introduced under the 1932 Act, whether for urban or rural housing, were among the most generous offered anywhere in the world. He had often challenged others to contradict this claim, yet no one had successfully done so. Given the prevailing financial constraints and the scarcity of funds, he saw no realistic possibility of these grants being increased.[169]

[169] *'Seanad Éireann Debate - Wednesday, 8 Mar 1939' (Oireachtas.ie1939)*



56, Pearse Street, NENAGH.
SACKS SUPPLIED FREE

VOL. 96 No. 36

NORTH TIPPERARY RURAL HOUSING SCHEME

County Council Discuss Raising of Loan

Cost to the Rates

A sample report heading regarding a rural social housing scheme during the 1930s.
('Nenagh Guardian' 8/9/1934)

A depiction of local authority units under construction in a rural area in Ireland.

LAW & POLICY IN RURAL-RELATED COMMERCE & INDUSTRY

In '*A History of the Commercial and Financial Relations Between England and Ireland*,' Alice Effie Murray outlines how the final decades of the nineteenth century brought economic strain to Ireland, as foreign competition forced changes in key industries and eroded their advantages in the English market. The full impact of free trade took years to emerge, but by 1880, intensified competition and falling wholesale prices had caused significant hardship for Irish farmers.

Meanwhile, the use of the workhouse system in rural districts and country towns, used as a source of emergency employment, had served as a source of misery for many in rural Ireland. As Dr. Con Kelleher notes in '*Macroom Union Workhouse, 1843-1921*,' the bitterness evoked by the workhouse system helped to fuel the sentiment that allowed for the rise in Fenianism and the Land Wars of the 1880s.[170]

Over this period, pastureland had expanded while arable farming had declined, pushing the form of Irish agriculture back toward its pre-1780s state. The repeal of the English Corn Laws in 1846 had initially slowed Irish grain exports, but its full effects became clear later, as American and Eastern European grain production, coupled with rising transport costs, made it difficult for Irish farmers to compete. By this time, only oats and barley remained widely cultivated, with barley sustained by the brewing industry. Meanwhile, livestock breeding, bacon curing, and dairy industries had become dominant, with recent restructuring offering hope that Irish provisions might regain their former place in the English market.

Manufacturing had also changed significantly. Industrial activity, once widespread, had become more concentrated. The

---

[170] *Con Kelleher, Macroom Union Workhouse, 1843-1921 (2019).*

Industrial Revolution, as in England, had eliminated many domestic industries, but in Ireland, rural women had continued to spin and weave, and migration to towns had remained limited. Free trade, which had boosted British industry, had contributed to Ireland's industrial decline. Though linen, porter, and whiskey exports had eventually exceeded pre-Union manufacturing exports in value, industrial activity had become geographically restricted, small industries had vanished, towns had declined, and fewer people had worked in manufacturing. However, a recent industrial revival had shown promise, aiming to restore rural industry rather than following England's model of urban concentration.

The agricultural depression that followed the repeal of the Corn Laws, worsening in the 1870s, hit Ireland harder than Great Britain. However, signs had emerged that the crisis had reached its lowest point and that some recovery might follow. After the famine, Irish provisions such as meat, bacon, and butter commanded high prices in Britain. However, by the 1870s, increasing imports of foreign agricultural produce had severely impacted Irish trade. By 1880, American meat, Danish butter, French poultry, and foreign flour had displaced Irish products, even within Ireland. Ulster had also largely stopped growing flax due to cheaper foreign imports.

In response, Irish industries had undergone significant changes. Bacon curing had become a capitalist enterprise concentrated in large seaport towns, while co-operative methods had later transformed dairy production. The agricultural co-operative movement had shown promise, potentially securing a stable peasant proprietorship capable of competing internationally. Legislative measures had also facilitated land purchases, helping to establish peasant ownership. While challenges remained and progress was slow, for the first time, the material outlook for Irish peasants appeared hopeful.[171]

The contemporary Industrial and Provident Societies Act 1893, and subsequent updates, derives from British law, and is a

---

[171] *AE Murray, History of the Commercial and Financial Relations between England and Ireland from the Period of the Restoration (1903)*

remnant of British governance in Ireland, thereby predating the formation of the State. Although not explicitly a co-operative statute, some entities seeking to form co-operatives have seen the IPSA framework as more advantageous than the corporate structure.[172]

Democratic governance in alignment with co-operative ideals could only be realised if members engaged in meetings and casted votes in elections. Legal provisions and regulations governing both meetings and voting were essential. The Industrial and Provident Societies Act of 1893 mandated in the Second Schedule that the rules must include the procedures for conducting meetings, the extent and rights of voting, and the processes for creating, amending, or repealing rules.[173]

One of the key figures who lobbied for such legislation was the renowned Irish MP, Sir Horace Plunkett, who would become the founding president of the Irish Agricultural Organisation Society (IAOS) the following year, and later appointed as vice-president of the Department of Agriculture and Technical Instruction for Ireland (DATI) in 1899.[174] In fact, the parliament's Recess Committee, chaired by him during the legislative vacations of 1895–6, produced a report that compelled government action, resulting in the enactment of the DATI. This was made possible by passing the Agriculture and Technical Instruction (Ireland) Act 1899.[175] In addition to agricultural education, which was inherently within its scope, the department assumed primary responsibility for technical (vocational) education. Due to the rudimentary state of Irish instructional management, Plunkett found himself overseeing scientific education in all areas except the universities. He would not have declined the chance, since scientific innovation and changes in education were two of his

---

[172] Bridget Carroll, 'Ireland', International Handbook of Co-operative Law (Springer Nature 2013).

[173] Anthony Quinn, Credit Unions in Ireland (Oak Tree Press 1994)

[174] Trevor West, Horace Plunkett: Co-Operation and Politics - an Irish Biography (Catholic University of America Press 1986)

[175] 'Agriculture and Technical Instruction (Ireland) Act 1899' (Vlex.co.uk)

primary objectives and, in his view, were inseparably connected. He suggested that, whenever he embarked on a cognitive exploration of Irish political, sociological, or economic issues, regardless of his starting point, he invariably returned to education as the foundation of all advancement in Ireland.[176]

As Patrick Bolger outlines in his landmark work '*The Irish Co-operative Movement: Its History and Development*,' the 1893 Act gave the impetus for a boon in the growth of successful, rural co-operative societies, which, at the time, gave farmers and farm labourers a much greater degree of economic independence and fairer business terms.[177] Additionally, co-operative stores and creameries in particular served as an important social and community hub in rural Ireland, and were also responsible for increasing localised economic activity.[178] However, it was not all plain sailing. For example, Patrick Hannon, a native of Co. Sligo and a well-known co-operative organiser (and future MP for Birmingham, chairman of Aston Villa F.C, the B.S.A and Jaguar) in the 1890s and early 1900s, faced significant opposition in his work to establish a network of local co-operative societies, when he travelled the country as a co-operative missionary.[179]

As highlighted by Dr. Patrick Doyle, the IAOS diligently endeavoured to convince farmers to organise their own co-operative enterprises while simultaneously striving to surmount initial resistance to their formation. The emergence of such new co-operative farmers managing their butter production elicited strong criticism from many economic and political adversaries. The expansion of the movement in the 1890s witnessed a manifestation of class conflict in rural areas between co-operators and individuals whose occupations were jeopardised by

---

176 Trevor West, 'Sir Horace Plunkett' (Www.dib.ie2009)

177 Patrick Bolger, The Irish Co-Operative Movement: Its History & Development (Institute of Public Administration 1977).

178 Tadgh Quill-Manley, 'The Co-Operative Creameries of Mid-Cork' [2024] Lee Valley Outlook.

179 Irish Independent, 'Biography on Sligo's Aston Villa Chairman of the 1950s' (Irish Independent8 May 2015)

emerging co-operative enterprises. The '*Skibbereen Eagle*' criticised the movement, characterising co-operation as a 'scheme for the introduction of continental socialism' and cautioning farmers against the IAOS, which it deemed 'a mockery, a delusion, a snare' intended 'to abolish shopkeepers, pig-buyers, cattle-dealers, and the like. Moreover, prominent nationalists within the Irish Parliamentary Party resisted the expansion of the IAOS, perceiving it as augmenting the stature of adversaries to Home Rule, among whom was Plunkett.[180]

It was during the period when the 19th century met the 20th century that a crucial, but often overlooked, role in establishing Ireland's credit union movement occurred. In 1889, Sir Horace Plunkett, encouraged by Alexis Roche and Barney Fitzpatrick, attempted to introduce co-operative banking to support farmers and rural workers. However, his efforts faced opposition from some local business figures. Despite this, the Doneraile Co-operative Society (based in Co. Cork) was formed, initially joining the British Co-operative Union. A key turning point came when Plunkett met Robert A. Anderson, who later became a major figure in the movement. This resulted in the creation of the Doneraile agricultural credit bank at the end of 1894. By 1895, the Doneraile Agricultural Bank was officially registered, lending £100 in its first three months, focusing on productive loans. Inspired by German 'Raiffeisen' credit co-operatives, the movement gained traction, receiving government and bank support. By 1907, cooperative loans reached £18,785. However, challenges like inadequate deposits, reliance on government funding, and poor oversight led to their decline. Efforts to revive them in the 1920s resulted in the 1927 Agricultural Credit Act, creating the Agricultural Credit Corporation (discussed later in this chapter). However, by 1938, an inquiry lead by the State concluded that the model of agricultural co-operative credit was somewhat unnecessary, leading to its disappearance. The idea resurfaced again in the 1950s, when Nora Herlihy established

[180] *Patrick Doyle, 'A Dairy Democracy: The Co-Operative Movement and the Improvement of Pre-Independence Irish Dairying 1889–1922'*

Ireland's first modern credit union in Dublin City, shaping today's sector.[181]

While the co-operative movement flourished in other forms, however, a "war of attrition" between private creameries and dairy co-operatives would persist for an extended period. The phenomenon started in 1900, at which point two-thirds of creameries were privately owned. The conflict was conducted via strategic positioning, with co-operatives and private entities situating themselves progressively near one another to secure local milk resources. The deficiency of winter milk resulted in creameries operating below optimal capacity, while the dispersion of catchment regions adversely affected both parties. Over time, several private creameries shut down, or were acquired by co-operatives or the Condensed Milk Company of Ireland (CMCI), which had become the primary competitor of the co-operatives.

In the 1910s, George William '*AE*' Russell, national organiser of the IAOS and editor of the 'Irish Homestead,' would express radical views that influenced discourse on the direction of the agricultural co-operative movement. Russell collaborated with, and befriended, James Connolly. Russell would arouse outrage among the accepted Home Rule-supporting '*Freeman's Journal*,' which would accuse him of concealing supposedly "anti-Irish" sentiments under his socialist views. The more radical factions of the emerging Sinn Féin party expressed sympathy, however. Russell's prominent position in the IAOS and his participation in the 'Irish Homestead' were both safeguarded by Plunkett's reticence in such matters nonetheless. An interchange of perspectives occurred in print between Russell and Connolly, with each analysing and replying to the other's concepts on social and political organisation via the columns of the 'Irish Homestead' and Connolly's writings on labour in Ireland. Each provided the other with a constituency that was challenging to

---

[181] Tadgh Quill-Manley, 'How Doneraile Created Ireland's First Credit Union' (The Avondhu2024).

access — Russell with the urban labourer, and Connolly with the agricultural worker or homesteader.[182]

Connolly sympathised with the Gaelic Revival, while Russell possessed a socialistic interest in the ancient sagas, both of which render Russell's utilisation of the Cuchulain saga as an inspiration for his socialistic character's moniker is regarded as particularly apt in his fiction book, '*The Interpeters*.' Culain's socialism represents an intensified urban counterpart to Russell's engagement with the rural co-operative movement, while Culain's disdain for isolation and egotism aligns with Russell's vision for the ideal rural community.[183] '*The Interpreters*' was published in 1923, as the Civil War drew to a close. It displays an energetic debate regarding individuals with differing views about how a new, self-governing Irish State ought to function. Russell had turned down a nomination to the Irish Free State Senate (Seanad).[184]

It was during these years and later that influence in rural economic discourse by Harold Saunders Blackham (*Aodh Sandrach de Blácam*), the Anti-Treaty IRA activist and onetime editor of the 'Catholic Standard' would come about. He was originally interned by the Crown in 1919 during the War of Independence. During this period, he authored two political manifestos: 'Towards the Republic; a Study of New Ireland's Social and Political Objectives' (1918) and 'What Sinn Féin Stands For' (1921). Uniquely, the two books contended that, fundamentally, Catholic Social Teaching (CST) and Bolshevism were equivalent, and that Ireland, having encountered only feudalism and capitalism due to external influences, could bypass many of the stages typically outlined in the Marxist trajectory of historical development, and directly transition to a Soviet-style society, a hardline notion akin to the 'two-stage' theory. He envisioned this supposed extreme Soviet-style society as an Irish-speaking, decentralised rural co-operative commonwealth.

---

[182] Nicholas Allen, 'George William "AE" Russell' DIB.ie (2009)

[183] John Foster, '"The Interpreters": A Handbook to AE and the Irish Revival' (1980)

[184] Jerry Nolan, 'The Awakening of the Fires: A Survey of George Russell-AE's Mystical Writings' [2001] ABEI Journal

Critics of Sinn Féin during this period often referenced his publications as evidence of the impracticality of Sinn Féin's objectives.[185]

The various arms of the Crown forces had targeted both co-operative and private creameries for devastation during the ugly struggle for independence. The CMCI was also attacked by the republican/nationalist faction. The Cleeves, who owned the firm, were a Unionist family and were disparaged by many co-operative supporters as "foreigners." Employee disputes escalated with the political turmoil, and the decline in farm prices. A multitude of Cleeve industries were appropriated by the workers, with animosity between the workers and milk suppliers resulting in the destruction of machinery and equipment. Additional devastation to infrastructure was inflicted throughout the civil war.

The tough competition for milk supply was certainly advantageous for most of the milk providers, at least in the near run. Cleeve had offered elevated rates for butter fat in regions where they faced competition from co-operatives, compared to places devoid of competition. It has been asserted by historians that any significant rental component likely accrued to the milk providers' benefit.

The corporation ultimately succumbed to the burden of these diverse demands. It was dissolved in October 1923 with liabilities amounting to five hundred thousand pounds. A new consortium of capital investors, spearheaded by Andrew O'Shaughnessy, proprietor of the Newmarket Dairy Company and a member of the newly formed Free State parliament, acquired the company's assets and reconstituted it as the Condensed Milk Company of Ireland (CMCI) in 1924. The Newmarket Dairy Company was integrated into the newly formed CMCI the following year, and British wholesaler Lovell and Christmas, which had established strong connections with the Newmarket Dairy Company, emerged as the principal stakeholder in the new entity.

---

[185] *Jim Doyle, 'Harold Saunders Blackham' (Seamus Dubhghaill2 April 2025)*

The "war of attrition" exhausted the co-operative movement of the majority of its financial resources and credit. After being cautioned by Andrew O'Shaughnessy that Lovell & Christmas possessed sufficient assets to dismantle the productive co-operatives, the government was subsequently informed that Lovell & Christmas were willing to sell the CMCI to the IAOS. The proposal constituted an indirect strategy towards the government, since the corporation likely recognised that the IAOS lacked the requisite money.

In 1927, the Irish Free State government approved the proposal and formed the Dairy Disposal Company to acquire the CMCI and other private creameries. This essentially conferred to the co-operative movement a state-sanctioned monopoly on the industry. This and many other governmental actions effectively addressed the "free-rider problem" that had impeded the co-operatives. However, the economies of scale that enabled the CMCI to effectively participate in selling and distributing were diminished. The firm's varied production capacity and economies of scale enabled it to provide a somewhat elevated price for milk. However, nearly fifty years would be required to overcome the issues resulting from its collapse. More information regarding the actions of the Free State regarding this sector will be discussed later.[186]

Elsewhere, prior to the World War I, the flax seed supply (utilised for the production of linen) for nearly all of what subsequently became Northern Ireland originated from Russia, either directly or via Holland, which also sourced its supply from Russia. However, the war and its aftermath severely disrupted this supply, creating significant challenges. To address the issue, seed production had to be undertaken in the rest of Ireland or other locations under careful supervision. While growing seed for most crops did not pose major difficulties, flax presented a unique challenge. The highest-quality fibre could not be obtained from plants left to mature until the seeds fully ripened, whereas the best seeds could only come from fully matured plants. As a result, although fibre from seed-producing crops was not entirely

[186] *Frank Barry, 'Agri-Business Firms and Irish Agriculture in the Decades to Independence' (TCD 2022)*

useless, such crops were primarily cultivated for seed rather than fibre quality.[187]

The Irish Food Production Scheme, established in 1917, mandated obligated tillage, which compelled every occupant of arable land to cultivate a section equal to one-tenth of their holding in 1917 if their property had not been tilled in 1916. Individuals who had cultivated a portion of their land in 1916 were mandated to cultivate one-tenth of their holding, in conjunction with the area cultivated the preceding year, with a maximum limit of half the total area. Lands comprising less than 10 acres were exempted. The program was managed by the County Committees of Agriculture. The County Committees were authorised to engage their Instructors on a full-time basis for the Food Production Scheme.[188]

The salaries, circumstances, and empowerment of agricultural labourers in Ireland were transformed by the implementation of the minimum wage under the Corn Production Act of 1917, which also prompted an unparalleled increase in trade union organisation within the agricultural sector. On the verge of independence, this group was emerging as a formidable force, posing a danger to many in Irish society, not only due to the underlying violence associated with their trade union action but also due to the social and economic ramifications of their growing influence. Upon the election of Cumann na nGaedheal, the fragile foothold that agricultural labourers had secured via trade unionism was undermined, leading to its disintegration on the farm.

It subsequently correlated the value of agricultural labour and any wage increases for agricultural labourers exclusively as a cost to the farming community, particularly the larger employing farmers, thereby posing a challenge to the productivity of the crucial agricultural economy. To alleviate the financial burden of rates on agricultural property, a connection was formed

---

[187] *Daniel Hall, Agriculture in the 20th Century (Oxford University Press 1939)*

[188] *Samuel Morrow, Farming in County Fermanagh: Development in the Twentieth Century (2010)*

between agricultural wages and the rural earnings of state personnel engaged in government and local authority labour programs. The government therefore embraced the decreasing farm pay as a chance to lower salaries in other sectors of rural government employment in line with its budgetary austerity program. After the agricultural labourers' vitality was neutralised by the disintegration of agricultural trade unionism and their wages ceased to pose a threat to agriculture, the initial Free State government exhibited indifference towards this substantial group's deteriorating circumstances until its defeat in the 1932 election.[189]

The responsibility for enforcing government regulations brought about by this Corn Act was assigned to the DATI. The Department introduced various new policies, such as mandatory tillage orders, minimum wage standards, a guaranteed price for grain, and a temporary halt to land purchases and redistribution. The 'Irish Homestead,' an organ of the agricultural co-operative movement, edited by George William '*AE*' Russell, urged its readers to contribute to meeting these requirements. The publication included advertisements informing farmers that a greater focus on tillage farming would not negatively impact those dependent on livestock for their livelihood. It suggested that increasing tillage farming would help boost milk production, stating: "More tillage means more men, more cattle, more work, more prosperity."[190]

The agricultural sector slumped during the revolutionary period. An editorial published in 'The Irish Farmer,' the official publication of the Irish Farmers' Union, in October 1921, described the outlook for agriculture that winter as bleak, stating that no matter where one looked, there were hardly any encouraging prospects. The column 'Recent Irish Fairs' in the same publication consistently reported a decline in livestock

---

[189] Lisa Curtis, 'The Agricultural Labourer and the State in Rural Ireland, 1922-1976' (NUI Maynooth 2007)

[190] Patrick Doyle, '"Better, Farming, Better Business, Better Living": The Irish Co-Operative Movement and the Construction of the Irish Nation-State, 1894-1932' (University of Manchester2013)

prices throughout the winter of 1921 and into the spring and early summer of 1922. In October 1922, the organiser of the Sligo Farmers' Association was quoted as saying that "the price of everything the farmer has to sell is at its lowest." Likely in response to reduced demand due to poor agricultural earnings, the Sligo-based merchant company Woods announced significant price cuts on fertilisers in the spring of 1922.[191]

In June 1919, the revolutionary Dáil Éireann established a 'Commission of Inquiry into the Resources and Industries of Ireland,' yet, despite its broad remit, it was divided into two sub-committees, one focused on fuel and power, with the other being food and agriculture. These committees, organised by Arthur Griffith, were comprised of 60 people, eight of whom were Dáil members. The food and agriculture committee was chaired by Tom Johnson, the famed leader of the Labour Party. This committee produced reports on milk production, stock-breeding, milk products between 1920-1922.

The sub-committee put forth a recommendation for the creation of a national brand that would encompass all products within the Irish dairy sector, regardless of their place of production. The administration of this initiative would be undertaken by the industry collectively, represented through a National Dairy Council, which would be endowed with statutory accountability for the brand. This national dairy council was poised to embody the diverse facets of the industry, alongside various stakeholders, including medical officers of health, under the leadership of the Minister for Agriculture as president. The operations of the dairy council will be managed by a committee consisting of twelve individuals — nine of whom would be elected by the council, while three members would be appointed from Dail Éireann to ensure representation of the public interest. Legislative proposals would be initiated by the dairy council, with the Dáil assigning the council the duty of enforcement. Another significant aspect of the sub-committee's observations was their inclination towards the dairy sector adopting a self-regulatory approach. The framework was based on the old DATI, and was likely devised by Tom Johnson.

---

[191] *The Aftermath of Revolution: Sligo, 1921-23 (UCD Press 2000)*

In September 1922, the Provisional Government of the Irish Free State appointed a fresh Commission of Agriculture, which subsequently re-examined some of the aforementioned topics. The work of the Commission would partially spark the work of the later Tariff Commission on flour, as well as the Dáil Economic Committee that was set up in 1928. This would also help to define the legislative agenda of the new State. While a agricultural Co-operative Organisation Bill failed to pass, the innovative Agricultural Credit Bill would become a reality in 1927. However, it was ultimately decided not to create a national dairy council. Hogan rejected two attempts by TDs to insert a clause founding a national dairy council, within the Dairy Produce Bill of 1924.[192]

This Bill, which would become the Dairy Produce Act 1924, was a law to regulate the production, marketing, and export of dairy products, aiming to enhance their overall quality. It also provides for the registration and oversight of premises involved in the production or sale of dairy goods, as well as for the proper labelling of such products, along with addressing other related matters to support these objectives.[193]

The Dairy Produce Act instituted more stringent regulations for creameries, focussing on sanitation, hygiene, and the inspection of the standard of all butter manufactured. The statute mandated that all creameries and exporters of dairy products must formally register with the Department of Agriculture. The legislation granted inspectors the authority to access any facilities involved in the production of dairy goods.

Although creamery inspections were conducted earlier under the old DATI, the Dairy Produce Act conferred enhanced authority of intervention to the state and imposed greater responsibilities on the individual society. The registered premises were consistently accessible for inspection, with all products subjected

---

[192] *Mary Daly, The First Department: A History of the Department of Agriculture (Institute of Public Administration 2002)*

[193] *'Dairy Produce Act 1924' (Irishstatutebook.ie1924)*

to unannounced testing; noncompliance resulted in legal action and the suspension of their licence. The legislation further stipulated that all establishments uphold a rigorous standard of cleanliness and hygiene, while also overseeing the external presentation of creamery personnel. In the interim, inspectors at the creamery meticulously oversaw the quality of butter, establishing a maximum permissible moisture content of 16 percent. However, the aim established by the Dairy Produce Act to enhance the nature of Irish produce wasn't fully realised.[194]

Immediately following independence, the pre-Treaty Department of Agriculture and Technical Instruction (DATI) experienced minimal alterations. The government concentrated on advancing agriculture, recognising Ireland's competitive edge in this domain, as more than half of the population derived their livelihoods from the land. The economic downturn following the war led to a significant decline in the agricultural price index, which plummeted from 288 in 1920 to 160 by 1922. A significant number of individuals engaged in agricultural activities were subsistence farmers and landless labourers. The economic decline following World War I, coupled with the destruction wrought by the conflict from 1919 to 1923, significantly diminished the ability of both agriculture and industry to expand stable employment opportunities. Commercial and agricultural interests were bifurcated between advocates of protectionism and proponents of free trade. While the Government supported free trade, opposition groups such as Anti-Treaty Republicans and the Labour Party supported tariffs and protection of national industry.[195]

Throughout this period, Ireland's external trade was primarily influenced by Great Britain, to which it shipped agricultural goods and from which it brought in manufactured items. The

---

[194] Patrick Doyle, Civilising Rural Ireland - The Co-Operative Movement, Development and the Nation-State, 1889–1939(Manchester University Press 2019)

[195] Donal Corcoran, 'Public Policy in an Emerging State: The Irish Free State 1922-25' (UCC 2009)

formulation of the majority of trade policy occurred in London, resulting in Ireland effectively adopting a free trade approach.[196]

Meanwhile, in the world of horse racing, noticeable changes would occur. Ireland has a rich and esteemed heritage in horse racing, which is integral to its rural culture. The 1752 race between Cornelius O'Callaghan and Edmund Blake in County Cork is recognised as the first documented steeplechase in Ireland. The spire of St. John's Church in Buttevant served as the starting point, with the finish being at St. Mary's Church in Doneraile, some 4.5 miles later, over a route of natural hurdles. Nonetheless, the formal acknowledgement of such point-to-point races in Ireland occurred only with the implementation of the National Hunt Rules in 1889, just over 137 years later. Throughout the late 19th and early 20th centuries, point-to-points would be major social occasions in rural society, with special excursion trains being organised by the railways.[197] In 1926, the Irish Free State Government permitted off-course licensed betting businesses to generate essential income for the State, via a not insignificant five percent levy on turnover. They accomplished this by passing the Betting Act 1926. In 1929, the Government enacted the Totaliser Act; nonetheless, it took years for the Tote at horse and greyhound tracks to grow into a net donor to Irish horse racing.[198]

A Joint Committee was tasked with reviewing the Betting Act, 1926, and recommending necessary amendments to bookmaking laws. After examining evidence from various stakeholders, including government officials, religious groups, industry representatives, and law enforcement, the Committee, chaired by P.J Ruttledge TD (vice-president of Fianna Fáil, and a future

---

[196] Alan De Bromhead, Robin Adams and Ciarán Casey, 'Ireland's Economy since Independence: What Lessons from the Past 100 Years?' (Economics Observatory30 April 2021)

[197] Tadgh Quill-Manley, 'The Origins of Lee Valley's Point-To-Points' [2022] Lee Valley Outlook.

[198] Niamh O'Sullivan, 'Odds On: A Short History of Bookmaking in Ireland' [2018] www.rte.ie

Minister for Justice),[199] issued a lengthy report in 1929, and concluded that while the Act had successfully eliminated street betting, it had also led to new social and economic issues, particularly in poorer communities. Associated fears included disorderly conduct in betting offices, increased juvenile gambling, and allegedly exploitative practices that had been carried out by the bookmakers.

The Committee recommended several reforms to address these issues. These included prohibiting bookmakers from accepting bets from individuals under 18, restricting access to betting premises for those under 16, and banning women with children from entering. They also proposed setting a minimum bet of 1 shilling, prohibiting immediate payouts after races, and banning the display of betting odds in shops to discourage continuous gambling. Additional recommendations included licensing bookmaking staff, restricting the number of betting offices, and strengthening Garda enforcement powers.

Regarding taxation, the Committee suggested repealing the betting tax, which had been ineffective, and instead increasing licence fees for bookmakers and imposing duties on telephones and staff. Concerns were also raised about the negative impact of the Act on the bloodstock industry, with falling racecourse attendance threatening the sector's viability. The Committee endorsed the introduction of the totalisator system as a potential revenue source to support horse racing.

Other legal issues included excessive penalties for betting-related offences, which the Committee recommended reducing. They also rejected proposals to make betting debts legally recoverable. Overall, the Committee advised that the Act should not be repealed but amended to address its flaws while maintaining control over betting practices.[200] A fresh Betting Act was passed in 1931, which made minor adjustments.[201]

---

[199] *Marie Coleman, 'P.J Ruttledge' (Www.dib.ie2009)*

[200] *'Committee Reports:Final Report - Betting Act 1926, and the Law Relating to the Business of Bookmaking::09 May, 1929::Report' (Oireachtas.ie1929)*

[201] *'Gambling Regulation Bill - Regulatory Impact Analysis' (Drugsandalcohol.ie2021)*

The passing of the Agricultural Credit Act 1927 was another significant milestone in developing a self-governing rural economy. The Act aimed to establish provisions for the formation and registration of a company, whose primary purpose was to extend credit to individuals engaged in agriculture and related businesses. It also sought to authorise State-backed guarantees for the company's capital and the securities it issued. Additionally, the Act addressed various matters concerning the company's operations, and was designed to facilitate farmers in securing loans by mortgaging their farming stock while regulating the functioning and legal implications of such mortgages. Facing little opposition, it was signed into law in May 1927.[202]

Discussing the proposed legislation in 1927, Patrick Hogan highlighted that this particular Bill closely followed the recommendations outlined in the Banking Commission Report (published in 1926). It proposed the creation of an Agricultural Credit Corporation with a capital of £500,000, half of which would be paid up. The State would guarantee both the capital and dividends of the Corporation. At least £200,000 of the capital was to be offered to the banks, while the remainder would be made available to the public. If the public did not subscribe to the remaining capital, the Minister for Finance would provide the necessary funds. The Corporation was structured as a limited liability company, with ten directors appointed by the shareholders. The banks would appoint directors proportional to their £200,000 investment, other shareholders would select a certain number, and the Minister for Finance would have the authority to appoint four directors.

Hogan explained that the Corporation's primary function was to provide long-term and intermediate-term credit to the agricultural sector. It was not designed to offer short-term credit, which remained the responsibility of joint stock banks. The Bill aimed to maintain a clear distinction between the roles of the Corporation and the traditional banking system. While joint stock banks specialised in short-term credit, which they were

[202] *Dáil Éireann, 'Agricultural Credit Act 1927' (Oireachtas.ie7 April 1927)*

well-equipped to manage, the Corporation would focus on credit types that banks had occasionally attempted to provide but found unsuitable for their operations—specifically, long-term and intermediate-term credit.

There was no restriction preventing banks from offering long-term credit in the future if they chose to do so, as the Bill did not impose any limitations on their functions. Instead, the Corporation was structured to operate effectively within the long-term and intermediate-term credit space. While precise definitions of these credit types were not provided, even the Banking Commission, which included experienced bankers, had struggled to define them explicitly. However, in general terms, banks typically issued paper with a maturity of three months, and loans to farmers usually had durations of three to six months, rarely exceeding six months.

The type of credit required by the agricultural sector varied, Hogan asserted, based on specific needs. Some loans were necessary for extended periods, such as ten to twelve years, particularly for farmers' co-operatives constructing creameries. These loans needed to be structured in a way that allowed for gradual repayment without placing excessive or unnecessary financial pressure on shareholders. Drainage projects required credit for shorter periods, while farm building loans needed slightly longer terms. Additionally, farmers required credit to retain cattle or crops for around nine months to a year, which was classified as intermediate-term credit.

He said that the Corporation was expected to provide both intermediate and long-term credit solutions tailored to these agricultural requirements. The purposes for which such credit could be issued were outlined in Section 9 of the Bill. These included enabling individuals to acquire land to become farmers, and assisting existing farmers in carrying out various agricultural activities. The provisions were designed to support the broader development of the agricultural sector by addressing its unique financial needs.

Hogan said that a proviso, by clearly defining what the Agricultural Credit Corporation was not permitted to do,

effectively outlined its functions with greater precision than any positive definition could have achieved, aside from a broad generalisation of its activities. The Corporation's primary role was to provide loans to farmers for agricultural purposes, whether related to production or marketing. Similarly, it was authorised to lend to farmers' organisations for these same purposes. However, it was explicitly prohibited from lending to farmers' organisations that engaged in selling goods included in the cost-of-living budget. The Corporation could finance farmers for the raw materials necessary for agricultural production but was barred from providing loans for items that contributed to their living expenses rather than their production costs.

Further clarification was provided in subsection (4), which stated:

> *"So long as any portion of a loan or advance made by the Corporation to a co-operative society remains owing to the Corporation, such society shall not give or continue financial assistance to any person engaged in or carrying on the business of selling by retail any goods which are neither agricultural produce nor requisites of agricultural production or marketing and shall not itself engage in or carry on any such business, and if any such society contravenes the provisions of this sub-section the whole of the loan or advance so made to it by the Corporation shall (notwithstanding any agreement to the contrary) forthwith become due and payable by it to the Corporation."*

In practical terms, this meant that an agricultural co-operative society receiving a loan from the Corporation for the specified agricultural purposes could not then lend money to another agricultural organisation that did not qualify for a loan under the Corporation's rules. This provision was specifically designed to prevent various scenarios, going on to provide one.

On this, he asked those present to consider a rural district where a farmers' co-operative creamery operates, with its shareholders being local farmers and its management committee consisting of several types of individuals. Within the same town, there might also be a co-operative store selling consumer goods such as tea, sugar, groceries, and drapery. Hogan explained that, under the provisions of the Bill, if the creamery secured a loan from the

Corporation, it would be prohibited from extending financial assistance to the co-operative store, as the store's business activities fell outside the defined scope of agricultural production and marketing.

This restriction, claimed Patrick J. Hogan, ensured that the Corporation's funds were strictly directed toward agricultural development, rather than being diverted to general retail operations, which could distort the intended focus of agricultural credit.

Patrick J. Hogan distinguished between the materials a farmer needed for production and those necessary for daily living. He explained that agricultural machinery was essential for farming, whereas a co-operative store sold consumer goods like tea, sugar, and bacon. Since the Corporation was designed to fund agricultural production, he argued that it would have been contradictory to allow a co-operative creamery to receive loans and then lend to a general store. To ensure funds were used strictly for agricultural purposes, the Bill prevented loopholes where organisations might transfer credit to ineligible businesses.

Hogan emphasised that the policy aimed to reduce farmers' costs for raw materials by offering wholesale prices while helping them improve organisation and output quality. He cited the typical co-operative creamery as an example, explaining how it enabled farmers to secure better prices for milk and butter while lowering overhead costs through bulk production. He maintained that supporting farmers in this way—rather than through import tariffs—was the most effective form of protection. The Bill, he insisted, ensured that credit was available to agricultural societies focused on production, without encroaching on retail trade, thereby maintaining fairness for both farmers and shopkeepers.

Outlining the Agricultural Credit Corporation's financial model, Hogan described how it included share capital, loans secured against land, and certificates of charge issued against mortgages. He noted that these certificates, which required approval from the Minister for Finance, could have maturities of up to 40 years but typically ranged from 2 to 15 years. The Bill capped total certificate issuance at £7.5 million, though he acknowledged that

this could be revised later if necessary. He expected that banks and the public would invest in these certificates, as they were backed by land and other securities. However, he suggested that co-operative assets might have provided even better backing for loans and believed the Corporation should have some flexibility in determining acceptable securities.

Hogan also highlighted a key innovation in the Bill: the introduction of chattel mortgages (Sections 19–25), which allowed farmers to secure credit using livestock, equipment, or other farm assets. He explained that these mortgages, successfully used in other countries, were particularly suited for short- and medium-term credit. Following the recommendations of the Banking Commission, the Bill ensured that chattel mortgages remained confidential, a practice Hogan believed would enhance their effectiveness. He argued that this approach aligned with international best practices and would strengthen farmers' access to credit without disrupting existing financial structures.

Michael Richard Heffernan TD, a former rugby player, businessman, and one-time leader of the Farmers' Party, expressed fears that mainstream financial institutions would cater to the most profitable agricultural credit needs, while leaving riskier or less profitable cases to the Agricultural Credit Corporation. However, he admitted this was only a tentative view. He acknowledged the Minister's argument that farmers themselves had contributed to credit difficulties, particularly due to mortgage foreclosures making land sales more challenging. However, Heffernan cautioned against placing too much blame on farmers, as these conditions stemmed from historical factors. He pointed out that, in the past, moneylenders had entrapped farmers with shop credit, often intending from the outset to foreclose on their land. Additionally, the legacy of land agitation had created strong resistance to land sales, making it essential to address these deeper issues before expecting a change in farmers' attitudes toward credit.

Heffernan also highlighted potential concerns regarding the composition of the Agricultural Credit Corporation's board of directors. While the institution was meant to operate

independently of the Government, he warned that Government-appointed directors might form a majority if the State acquired unclaimed shares. With four out of ten directors and the authority to appoint the chairman while holding 200,000 shares, the Government could end up controlling the institution, effectively turning it into a State Agricultural Bank. While he did not take a firm stance on whether such an arrangement would be beneficial, he stressed that the possibility needed to be carefully considered.

On the issue of loans to co-operative societies, Heffernan questioned the restriction against lending to those engaged in general trade. While he understood the Government's intent to protect independent shopkeepers, he pointed out that many agricultural co-operatives sold both farming necessities—such as seeds and fertiliser—and essential household goods like boots, tea, and sugar. Under the proposed Bill, any co-operative engaged in such mixed trade would be ineligible for loans, potentially restricting many agricultural societies. He suggested that if the goal was to reduce farmers' costs, it should include both production expenses and living costs, an issue he believed required further discussion at the Committee stage.

Finally, Heffernan referenced the Banking Commission's report, specifically paragraph 9, sub-section (10), which recommended that the new institution provide direct loans to individual farmers and take over poorly placed loans, or what the report termed "frozen loans." He sought further clarification on whether or not the Agricultural Credit Corporation would be expected to absorb such loans, as this could significantly impact its operations.

Michael Richard Heffernan called on the Minister to clarify the Government's intentions regarding the operations of the Agricultural Credit Corporation, particularly in relation to loans made during the peak land prices. He emphasised the importance of the issue and disputed the Minister's reference to organisations that allegedly claimed they would not repay loans from banks. Heffernan stated that no organisation he was part of had made such claims, and he personally had not done so either. However, he warned that the strict enforcement of bank claims

on loans made during the high land prices would have a devastating impact on the farming community, potentially wiping out entire families and clans if the banks pursued their legal powers to the fullest extent.

Heffernan argued that, in most cases, farmers genuinely wanted to meet their obligations, but the inflated loans from the post-war land price surge were not worth their face value. He proposed that a proper valuation be conducted, allowing the banks to transfer the loans to the Agricultural Credit Corporation at their actual worth, thus relieving the banks of further responsibility. He noted that it would be impractical for both the banks and the Agricultural Credit Corporation to jointly oversee such loans, as this would create an ongoing contingent liability. He stressed that the banks should accept their losses and agree to a composition, after which the Agricultural Credit Corporation could assume responsibility for the loans at their true value. Heffernan also highlighted the need for the Corporation to have the power to make long-term loans, which he believed would be essential in addressing the challenges posed by these loans.

Tom Johnson expressed fears regarding the proposal in the Bill and the Banking Commission's report, particularly the suggestion that the new Agricultural Credit Corporation should relieve the banks of their liabilities. He questioned the reliability of bankers' predictions regarding land values, highlighting the misjudgment they made in expecting the continued rise of land prices, particularly after the devastation of the war and the resulting decline in population. Johnson found it extraordinary that bankers had assumed such conditions would persist, discrediting their economic foresight. He argued that the risks taken by the banks were clearly poor ones, and suggested it was wrong to expect the new Corporation to take on these bad liabilities.

He supported Deputy Heffernan's point that the banks should be relieved from such risks in the future and that they should face their losses, meeting their debtors through composition, as the State had done in similar situations. Johnson also noted that it would ease the economic situation if an arrangement could be made for debtors who had borrowed from the banks, but stressed

that the new Corporation should be protected from having to take over those liabilities. He was concerned that if bankers dominated the board of the new Corporation, they might make decisions that would favour the existing banks.

Johnson also raised reservations about the wording in the Memorandum and Articles of Association, which authorised the Corporation to lend money for the purchase of any type of land, including land in towns or for building purposes, without specifying agricultural land. While he understood the difficulty of placing restrictions in the Bill, Johnson felt that the Corporation's funds should be primarily directed towards farmers who intended to till their land, rather than towards grazier farmers looking to expand their land holdings. He suggested there should be an understanding that the Corporation's money should not support the consolidation of land for grazing purposes.

Additionally, Johnson questioned the Minister's stance on restrictions regarding societies that dealt in agricultural production. He expressed concern that such restrictions would create unnecessary complications, potentially dividing existing societies into two, even if they operated in the same premises with the same management. He cautioned that this would be an undesirable and unnecessary division and pointed out the difficulty of defining such restrictions effectively.

Tom Johnson highlighted significant challenges in the restrictions outlined in the Bill, particularly concerning the sale of agricultural products. He pointed out that, under the proposed rules, a society that deals in American bacon, purchased to sell to farmers, would be excluded, whereas if it were Irish bacon, sold wholesale, it would not be. He saw a major difficulty in determining the end use of a purchase, whether it would be exported or sold locally, whether to farmers or in urban markets. He also identified issues regarding the classification of many items entering the cost of living, which, according to the Minister's phrasing, could include agricultural produce. Johnson argued that a clearer and more precise definition of "agricultural produce" was needed, as the current Bill lacked one, and as

written, it would allow societies to engage in the sale of foodstuffs under the broad term of agricultural produce.

In relation to sub-section (4), Johnson suggested that the provision for financial assistance was too vague. He saw a loophole that would allow societies to offer goods on credit to farmers, such as milk, while also selling other items—whether in a shop or on the road. He questioned the Minister's assurance that the clause was "water-tight," asserting that it would be impossible, and even undesirable, to attempt to make it so.

Despite these hesitations, Johnson concluded by expressing support for the Bill overall, stating that, in his view, it was a good one and should be given a full trial. He acknowledged that while he disagreed with certain restrictions, he would support the Second Reading of the Bill.

Deputy Patrick Baxter (of the Farmers' Party) recognised the challenging conditions faced by farmers, and acknowledged that the Bill addressed long-standing needs for better credit facilities in agriculture. While he approved of the step taken by the Minister, Baxter warned against overstating the Bill's potential. He cautioned that, despite improved credit access, it would not solve all the problems facing farmers. The effectiveness of the credit would depend on how it was managed and utilised. He pointed out that falling prices, competition, and other difficulties could undermine the benefits of even the best credit facilities if they were not well handled.

Baxter stressed that while the Bill made significant progress, its measure of success would hinge largely on its administration. He expressed fears about how the Bill, as drafted, would address the specific challenges that farmers, especially those in desperate need of credit, faced. He questioned whether the Bill would truly meet the needs of farmers whose lands had been depleted of stock, particularly in counties like Westmeath and Meath, where disease had wiped out livestock. These farmers, he pointed out, often lacked sufficient security for credit, making it unclear whether they would benefit from the provisions of the Bill.

The Deputy highlighted that while the Bill might assist farmers through agricultural co-operatives, it would be less effective for those with little collateral to offer. He raised the issue of restocking waste lands, which he believed would present the greatest challenges in the administration of the measure. Without sufficient security, many farmers would struggle to access credit, leaving them in a precarious situation. Baxter was waiting for further clarification from the Minister on whether the Bill would adequately address these issues and offer a genuine solution for farmers facing such dire circumstances.

In reply to further comments from Hogan, Patrick Baxter emphasised the importance of addressing individual farmers' credit needs, particularly those in difficult circumstances. He noted that many farmers, through no fault of their own, might be in arrears with rates or annuities, and could face the possibility of a sheriff seizing their stock. Baxter pointed out that such cases would not be isolated but would involve thousands of hardworking, honest farmers. He urged the Minister to clarify how the Bill would address these situations without undermining the agricultural credit system, stressing the need for a balanced approach that would not prejudice farmers seeking loans for productive purposes but were hindered by debts incurred through factors beyond their control.

Baxter also raised the issue of chattel mortgages, advocating for their secrecy in order to protect farmers' dignity and privacy. He acknowledged the reluctance some farmers had in openly admitting their need for capital, often opting to work only a portion of their land rather than seek financial assistance. He suggested that the success of the chattel mortgage system would depend on maintaining confidentiality, and hoped that the Bill would account for this in its administration. He asked for more details on how the Bill would be administered, whether through joint-stock banks or direct involvement from inspectors from the Corporation, as this would determine its effectiveness.

In addition, Baxter reflected on the problem faced by farmers who had purchased land at inflated prices during the economic peak, especially in the southern counties. He recognised that many of these farmers, though industrious and well-intentioned,

were struggling to meet their financial obligations due to the subsequent depression. While he did not want to suggest that farmers should evade their responsibilities, he believed that the Minister and the Dáil needed to acknowledge the seriousness of this issue. Baxter highlighted that the Government had already taken action to support co-operative societies in distress, recognising that failing to do so would have negative consequences for the agricultural sector, farmers, and the broader stability of the state. He called for a similar level of attention to be given to these farmers who faced exceptional challenges.

Sir James Craig TD (Independent) congratulated the Minister for his efforts to support the agricultural industry, noting that the industry was in a poor state, and that the Minister's proposal to grant chattel mortgages was a significant step forward. He expressed strong approval of this initiative, particularly the provision that any breach of these agreements would be considered criminal, as well as the importance of maintaining secrecy regarding borrowing.

However, Craig raised concerns about farmers who may already be heavily in debt, particularly those who have already mortgaged their land. He acknowledged the difficulty in addressing these cases, as some farmers may struggle to raise any further security, even on their chattels. He recognised that this presented a complex problem, where farmers with existing debts could face significant challenges in obtaining additional credit.

Craig also referenced the Minister's remarks about the moral responsibility of farmers in arrears, agreeing that the situation in the country had become serious. He noted the tension in rural communities, where farmers often resent creditors who try to enforce debts. Despite these concerns, he maintained that the Bill was a positive step and would help many cases, although he acknowledged that some difficulties could arise.

Regarding the Bill's proposed maximum amount of £7,500,000, Deputy Craig believed that there would be little trouble with the Corporation's funding and its potential interference with joint-stock banks. He felt that the fears expressed about competition

between the two institutions were not substantiated, and, overall, he commended the Minister for the progress made with the Bill.

Patrick J. Hogan addressed reservations raised by some Deputies, who believed that the Agricultural Credit Corporation (ACC) would take over bankrupt loans from the banks, clarifying that this was not the intention of the Bill. He emphasised that there was no provision in the Bill suggesting the ACC would assume such responsibility. If such a course were to be pursued, it would have to be specifically stated in the Bill, and as it stood, the Corporation would not be tasked with taking on bankrupt loans from the banks.

Hogan responded to Deputy Johnson's apprehensions about the potential influence of joint stock banks over the ACC. He reassured that the banks, despite having a substantial number of shares (200,000 out of 500,000), would still be in the minority. Additionally, the Minister for Finance would have control over four directors, and possibly five if he took up more than 200,000 shares, ensuring that the Minister had sufficient oversight. This structure, according to Hogan, would guarantee that unwise loans would not be passed on to the Corporation and that the ACC's interests would be safeguarded from those of the banks.

He fully agreed with Deputy Johnson's call for protection for the Agricultural Credit Corporation, ensuring it would not be forced to take on unwise loans, or illiquid ones.[203]

During this period, Hogan informed the Dáil that the Agricultural Credit Corporation (ACC) was not designed to assist the impoverished (perhaps harshly), but rather those with collateral. Hogan effectively conveyed his message by meticulously adhering to the trajectory established by the old DATI, prior to 1914. Dáil Éireann and the Irish government prioritised agricultural policies. Similar to Sir Horace Plunkett, Hogan firmly advocated for agricultural co-operation over that of direct state assistance, and throughout his tenure as Minister, the Department allocated significant financing to the agricultural co-operative movement. Hogan aimed to assist the

[203] *'Dáil Éireann Debate - Tuesday, 26 Apr 1927' (Oireachtas.ie1927)*

farmer in achieving self-sufficiency, a goal almost the same to that articulated by Plunkett in the first annual report of DATI.[204]

As noted by the 'Irish Farmers Journal,' the typical income level per farm within the sector experienced a slight increase throughout the 1920s.[205] However, the Cost of Living Committee, established by the Irish Free State government to assess the pricing of vital supplies, revealed that the median rise in the cost of living from July 1914 was a remarkable 88.8%. The data indicated that the price of food had escalated by 94.6% following the summer of 1914. The study evaluated the prices of an array of food items, encompassing different varieties of meat, fish, butter, margarine, cheese, flour, rice, tea, and jam.[206] Therefore, it is important to note that during the inter-war period, Ireland encountered a significant crisis regarding the cost of living, characterised by a dramatic increase in food prices. The crisis emerged as a result of an interplay of various elements, notably war, the Irish conflict, and the Great Depression.[207]

This challenges posed by the crisis in food prices was evidenced in the Oireachtas on 30 June 1927, when, in the Committee of Finance, Ernest Blythe TD, then Minister for Finance, moved that a sum not exceeding £83,009 was proposed to complete the total amount required to cover the expenses incurred during the financial year ending 31st March 1928. This allocation was designated for the salaries and operational costs of the Office of the Minister for Industry and Commerce.

---

[204] 'One More Cow, One More Sow, One More Acre under the Plough | Irish Country Life History' (Countrylifehistory.ie5 October 2014)

[205] Kevin Hanrahan and Thia Hennessy, '100 Years of Markets, Prices and Income in Irish Agriculture' (Farmersjournal.ie2016)

[206] 'Cost of Living in Ireland in October 1922 Nearly 90% Higher than in 1914 | Century Ireland' (Www.rte.ie2023)

[207] Ian Miller, 'How Ireland Suffered from a Cost of Living Crisis 100 Years Ago' (www.rte.ie14 July 2022)

The Minister for Industry and Commerce, Patrick McGilligan TD, explained that the total amount allocated in the Vote, as proposed by the Minister for Finance, combined with the sum previously taken in a Vote on Account, amounted to £124,009. This represented the net requirement under Vote 56 for the year. The sub-heads were outlined in the usual manner, with accompanying explanations. Attention was drawn to three key areas, particularly the sub-divisions of the items that had experienced the most significant increases. The largest increase appeared under heading A—Salaries, Wages, and Allowances—which showed a net rise of £13,233. An examination of the sub-head details revealed that this increase was accounted for by three specific sums: approximately £2,100 for the Secretariat, a similar sum for the Commerce and Technical Branch, and around £11,845 for the Statistics section. The reasoning behind these figures was straightforward.

The £2,100 allocated to the Secretariat was explained by ongoing considerations regarding proposed structural changes. If these proposals were approved, a Directorate on the Industries side would be eliminated, and a new position of Assistant-Secretary would be created. The details of this position were listed under sub-heading A, on page 221. Additionally, for the first time, the salary of a legal adviser to the Department was included in the Vote. This did not constitute a new appointment in terms of additional personnel but rather a reallocation of existing roles. Previously, the legal adviser's salary had been covered under the Supreme Court Vote. However, as this officer had been working exclusively within the Department, the expenditure was now formally reflected there. Thus, the £2,100 increase stemmed from two factors: the potential reassignment of a Director to the new Assistant-Secretary role and the transfer of the legal adviser's salary from the Supreme Court Vote to this Vote.

He noted that a census of industrial production was established under the Census Production Order. In accordance with this order, all individuals, businesses, and authorities engaged in specified industries, trades, or businesses within the Free State were provided with questionnaires requiring detailed information about their production in 1926. The order was

issued in June, covering industries classified into approximately 40 groups, while the schedules containing the questions were distributed in January of the following year. Around 15,000 entities received these questionnaires, and they were expected to submit their responses by 1st March. However, only a small proportion of the returns had been received by the deadline. Reminders were subsequently issued, resulting in approximately 11,000 responses being submitted. Despite these efforts, about 4,000 entities had yet to comply, a number considered disappointingly high, even accounting for inexperience with the process, errors in addressing the questionnaires, and the fact that this was the first time such a census had been conducted under the authority of the Oireachtas. If the remaining firms failed to submit their returns, more stringent measures would need to be taken, though additional reminders would be sent before resorting to such actions.

A review of the collected responses had already begun, but no figures could be published until all returns were received, as an accurate compilation of final data depended on complete submissions. Additionally, efforts were being made to determine agricultural production levels. Inquiries were sent to approximately 30,000 farmers, with specific surveys conducted on 30th April. Similar inquiries were planned for the end of August and December to estimate livestock product output more precisely. This process was ongoing, with further data collection scheduled at regular intervals.

David Leo O'Gorman, a Farmers' Party TD for Cork East, highlighted that a request was made for an explanation from the Minister regarding various bonus payments listed in the Vote. It was noted that the bonus had significantly increased across multiple categories, with some items rising by over £2,000. Although some argued that the bonus was protected by the Treaty, the majority of the public strongly opposed its continuation, as it was initially a war-time measure that private firms had already abolished. Additionally, inconsistencies were highlighted, where officials in some counties received a bonus while their counterparts in neighbouring counties did not. Fears, he said, were expressed over the Government's commitment to

economic prudence, and an assurance was sought that the matter would receive full attention.

Timothy Quill, 'Baby of the Dáil' and Labour TD for North Cork (and a future large farmers' leader),[208] wished to address the issue of the bonus, as raised by Deputy O'Gorman. He viewed the matter of bonuses differently from Deputy O'Gorman, seeing it as an increase in salaries in proportion to the rise in the cost of living. It seemed quite strange, he believed, to some of them to hear the bonus question raised again, as they recalled that the bonus had been a central issue raised by Deputy O'Gorman and others during the election campaigns, and they had already received their answer.

Quill, viewing the bonus in the proper light, regarded it as an increase that was proportional to the rise in the cost of living. The day before, when unemployment had been discussed, he had heard from the Minister for Industry and Commerce that the opposition was doing nothing to address the situation. Had he had the chance to speak at the time, he claimed that he would have pointed out that those in power had failed to take any real steps to resolve the issue, as they were more focused on maintaining their own interests through 'rings,' rather than supporting those seeking a better standard of living. He also recalled that the same individuals now calling for the abolition of the bonus were the ones who believed in the formation of such rings. Quill addressed Deputy O'Gorman and members of his party, pointing out that they had to meet an increased scale due to the rise in the prices of the produce they sold. Quill acknowledged that, as a result of these price increases, salaries had to be raised to accommodate the higher cost of goods. The comparison made was that if Deputy O'Gorman and others had been able to sell their produce at a 200% increase in price compared to 1914 levels, the logical conclusion was that salaries had to be increased in proportion to that price rise. Quill pointed out that one of the items that had increased was milk, the price of which had risen by 200 per cent compared to pre-war levels.

---

[208] *Eamonn Kirwan, The Threshold of a Newer Movement (Orla Kelly Publishing 2021).*

O'Gorman felt justified in asking the Minister to provide information on the cost of living for the current year (1927) compared to the previous year. Additionally, he requested the Minister to clarify, for Deputy Quill's benefit, whether there had been any increase in agricultural produce. While O'Gorman claimed that he knew the answer, he acknowledged that Deputy Quill might not accept his own statements.

At this point, William X. O'Brien, a Labour TD and a famed trade union leader, commented that the Minister explained that the census return would be issued in a different format this time, not based on counties but according to subjects. He asked the Minister to provide a return of the number of unemployed. If that was not possible, he requested that instructions be issued to include such a return.

Tom Johnson TD, the similarly famed Labour Party leader, remarked that the Irish producer, in his opinion, was inevitably forced to focus more on the Irish market. As long as he was looking abroad, he would not have much chance of success until he was well-established in the Irish market. He agreed that one of the major needs was to promote Irish-made goods within Ireland. He believed that Irish manufacturers should receive State assistance to help combine their efforts. Furthermore, he suggested that they should be supported by a fund, primarily raised through a tax on the advertising of imported and non-Irish manufactured goods.

Captain William Redmond TD, of the National League Party, asked the Minister for Industry and Commerce if he fully agreed with the Minister for Finance on the financial policy. If he did not, the speaker inquired what actions he had taken or planned to take as Minister for Industry and Commerce to preserve existing industries or foster new ones. Redmond believed it was better to focus on preserving industries that had already proven successful, rather than pursuing new, untested ventures with uncertain outcomes. He argued that it was only fair for the Minister to clarify the Government's intentions regarding the future of industries. Did they intend to continue, as in the past, to allow the destruction of existing industries? If so, how did they plan to replace them with new ones? This, Redmond felt,

was a critical question that directly related to the Minister's Estimates and required a clear policy statement, as it impacted a significant portion of the community, including workers in brewing and distilling industries, as well as many farmers.[209]

As Donal Corcoran outlines in '*The Freedom to Achieve Freedom: The Irish Free State, 1922-1937*,' the Dairy Disposal Company, established in 1927 under the leadership of department secretary Meyrick, was allocated the requisite funding in accordance with the Creamery Act of 1928. It afterwards bought 170 private creameries, divested 44 to co-operatives, shuttered 79 that were in proximity to other creameries, and held onto 47, as there was a lack of interest in those establishments. Additionally, it acquired more than 17 co-operatives and established creameries in regions of the country that were inadequately served. The legislation proved to be a crucial intervention for the co-operatives, as it imposed limitations on the establishment of new entities, a reality that was not universally acknowledged during that period. Nevertheless, these particular co-operative creameries were not subjected to rationalisation. These entities were predominantly minor and ineffective, engaging in fierce competition amongst themselves for the limited milk supply and the marketing of dairy products, ultimately harming farmers, the industry, and the state.[210] The primary purpose of the Creamery Act 1928 was to be a law to establish more efficient regulation and oversight of the dairying industry, including individuals and co-operative societies involved, with the aim of improving the industry's reorganisation and addressing numerous other related matters.[211]

Additionally, this same piece of legislation had further wedded suppliers to their respective local co-operative creamery, stipulating that should a society issue shares to a milk supplier, it would be unlawful, without written consent from the Department, for any other society to procure milk from that

---

[209] *'Dáil Éireann Debate - Thursday, 30 Jun 1927' (Oireachtas.ie1927)*

[210] *Donal Corcoran, Freedom to Achieve Freedom: The Irish Free State 1922-1932 (Gill & Macmillan 2013)*

[211] *'Creamery Act 1928' (Irishstatutebook.ie1928)*

individual. This established a connection between Irish milk suppliers and a co-operative creamery, mirroring the Danish model, and effectively reversed the House of Lords' decision in *McEllistrim v Ballymacelligott*[212] that sought to prohibit the 'locked-in' connection. The legislation additionally inhibited the formation of dairy co-operative societies in regions characterised by a scarcity of milk supply. The Creamery Act 1928 exemplified the Irish Government's readiness to engage in agricultural affairs, thereby reinforcing the standing of the co-operative movement within the dairy sector.[213]

A debate of the Dáil in July 1928 was indicative of the agricultural sector's uneasiness regarding the annuities predicament. Denis Gorey (Cumann na nGaedheal, Carlow-Kilkenny) referred to the Agricultural Credit Bill as a "peculiar anomaly," in which an individual who is fully stocked and owes a half-year or a year's annuity is unable to obtain a loan. However, if he sells a cow to pay the annuities, he can borrow funds to repurchase cattle. There is a possibility that he may sell high-quality calves and acquire low-quality ones. Martin Corry (Fianna Fáil, Cork East) was astounded by the fact that the farmer who owing the bank £1,000 was able to obtain a loan from the Corporation, while the agriculturalist who only owed £20 in land annuities was unable to do so. John Daly (Cumann na nGaedheal, Cork East) desired to eliminate the obstacles to obtaining a loan for farmers who were in debt for half a year's annuity. John Nolan (Cumann na nGaedheal, Limerick) described the situation of a man he knew who was denied a loan due to a one-month arrears balance on one annuity instalment, which amounted to £1,1s. The quantity of Cumann na nGaedheal TDs who expressed apprehensions over aspects of the bill pertaining to annuities demonstrated the issue's intrinsic connection to the broader agricultural difficulties of that time. The three Cumann na nGaedheal TDs referenced hailed from rural districts and, while they did not endorse the anti-tribute campaign, it mirrored their apprehensions over annuities and

---

[212] *[1917] 1 IR 93*

[213] *Patrick Doyle, 'A Co-Operative Commonwealth in the Free State?' [2019] Manchester University Press*

governmental policy on the matter. Some Cumann na nGaedheal TDs clearly acknowledged the challenges posed by annuities, and saw the need for proactive measures to resolve such a difficult issue. Fears were escalating over the sustainability of the status quo, whether via an extended payment term, a moratorium, or proposed access to loans from the ACC as recommended in the Dáil. Within Cumann na nGaedheal, there was a degree of unease over governmental efforts to marginalise those in arrears, as seen by their input in this Dáil discussion.[214] In the end, the Agricultural Credit Act 1928 would be passed. This was legislation which had been enacted to grant precedence to specific claims on lands recorded under the Local Registration of Title (Ireland) Act, 1891, in support of the Agricultural Credit Corporation Limited. It also aimed to safeguard individuals with equitable interests in these lands from incurring losses as a result of the establishment of such priority.[215]

Of course, the development of rural industry during this period could not go without reference to the Shannon Electric Scheme, completed in 1929. The works entailed the redirection of 90% of the Shannon into a head-race conduit that was 7.5 meters in length. The water was then transported to Ardnacrusha, where it was accessible for a 34-meter drop. The waste water was returned to the Shannon via a tailrace conduit after it had passed the generators at the power station. The civil engineering accomplishments encompass the diversion of innumerable streams and nine rivers, the creation of four significant bridges, the extraction of 7.6 million cubic meters of earth and 1.2 million cubic meters of granite, and the development of a 96.6 km specifically designed narrow gauge railway. Frank Sharman Rishworth, a Professor of Civil Engineering at University College, Galway, a National University of Ireland, served as the project's principal Civil Engineer. He was originally from Tuam, Co. Galway. The Electric Supply Board (ESB) assumed responsibility for the scheme upon its completion.

---

[214] *David Gahan, 'The Land Annuities Agitation in Ireland 1926-1932' (NUI Maynooth 2017)*

[215] *'Agricultural Credit Act 1928' (Oireachtas.ie1928)*

The famous Shannon scheme, designated for the overdue electrification of the Irish Free State, was one of the most ambitious civil and engineering undertakings in the world at the moment it was constructed, under global norms. It clearly established a fundamental structure and key springboard for rural Ireland's social, economic, and industrial advancement.[216] The core from which the national electricity grid was to grow was the Shannon Scheme's transmission line to Dublin. This would later be followed by a Rural Electrification Scheme, introduced in 1939, but deferred from implementation until 1946, primarily due to the outbreak of World War Two.[217]

Discussing what would eventually become the Agriculture Act 1931 (known previously as the Agriculture Bill 1930), Patrick Hogan proposed the Second Reading of the Bill, stating that it was necessary to address several matters that had not been covered in the Ministers and Secretaries Act. The Bill aimed to regularise these issues and also to deal with a corporate body which would be commonly referred to as "the Department," which had been established under the Agriculture and Technical Instruction (Ireland) Act, 1899, under the official title The Department of Agriculture and Other Industries and Technical Instruction for Ireland. Originally, Hogan had highlighted, this department had responsibilities not only for agriculture but also for technical instruction and both sea and inland fisheries. However, its functions related to technical instruction and fisheries had already been transferred to the Department of Education and the Department of Lands and Fisheries, respectively. The Bill proposed to dissolve the Department of Agriculture and Technical Instruction and transfer all its powers, duties, functions, and property to the Minister for Agriculture.

As part of this process, he noted that several Acts were to be repealed, including the Agriculture and Technical Instruction (Ireland) Act, 1899, the Agriculture and Technical Instruction (Ireland) Act, 1902, and the Agriculture and Technical Instruction (Ireland) No. 2 Act, 1902. The first two Acts had

---

[216] *'Shannon Hydroelectric Scheme' (Asce.org)*

[217] *'The Story of Electricity in Ireland' (Energy Institute)*

covered both agriculture and technical instruction, but the sections concerning technical instruction had already been repealed by the Vocational Education Act, 1930. The No. 2 Act of 1902 dealt with certain funds allocated to the Department, which were no longer required, making its repeal necessary. Additionally, he pointed out that the Vocational Education Act of 1930 had already repealed the Technical Instruction Acts of 1889 and 1891.[218]

The 1931 Act, as passed, dissolved the Department of Agriculture and Technical Instruction for Ireland and transferred its functions. A portion of these responsibilities was assigned to the Minister for Agriculture, while the remainder was transferred to the Minister for Industry and Commerce. The Act also provided for individuals who were then-currently, or had recently been, employed by the department and paid from its funds. Additionally, it included further provisions for the development and implementation of schemes related to agriculture, rural industries, and the preservation of existing woodlands, along with other related and incidental matters.[219]

In an assessment of Hogan by the Royal Irish Academy, he is characterised as the minister most intimately linked to the economic agenda of Cumann na nGaedheal; he was among the few officials of the Cumann na nGaedheal cabinet from 1922 to 1932 who possessed a cohesive economic perspective. The fundamental premise of Hogan's perspective was that agriculture constituted the most critical component of the Irish economy and was expected to continue as so in the years to come. His logic followed that, if the commercial farmers thrived, the economy could succeed; so, legislation should aim to optimise revenue for farmers. This was to be accomplished by motivating farmers to cultivate, for shipment abroad, those commodities in which they had an edge over others: cattle, bacon, and dairy goods.

---

[218] *'Dáil Éireann Debate - Wednesday, 18 Feb 1931' (Oireachtas.ie1931)*

[219] *'Agriculture Act 1931' (Irishstatutebook.ie1931)*

He strongly contested the viewpoint that the primary objective of agricultural output should be national self-sufficiency and that implementing protective tariffs was the optimal method to foster nascent industries. Policy should refrain from undermining agriculture's competitive edge. He felt that tariffs would mitigate it in two ways. They would elevate the expenses of goods that farmers required to import, such as agricultural machinery and feedstuffs. Furthermore, they would undoubtedly provoke retaliatory taxes on Irish goods, increasing their cost for international consumers, particularly those in Great Britain. He felt that the low-cost export strategy would generate an opulent agricultural class with excess money, which they could spend in Ireland or use on consumer products, so stimulating Irish commerce. In 1922, Minister Hogan's policy reflected global developments and garnered support from the majority of reputable economists and civil officials; but, he was compelled to amend it after the Wall Street collapse, which precipitated a slump and a global shift to protectionism. In 1932, Fianna Fáil completely abandoned his program.

Hogan harboured a 'laissez-faire,' economic liberal mentality. He characterised attempts to enhance state involvement as the endeavours of an unavoidable minority of discontented individuals, supposedly striving to transform Ireland into a haven for idlers. He still enacted a significant set of regulations that enhanced and controlled produce quality assurance. The standing of Irish cuisine, particularly butter and eggs, deteriorated significantly in Britain during and after the First World War. Irish manufacturers, aware of a desperate and captive market eager to pay exorbitant rates, grew negligent and shipped several subpar items. Hogan's improvements somewhat addressed this issue. He initiated legislation to enhance animal breeding norms, and the Agricultural Credit Corporation, the Sugar Company, and the Dairy Disposal Company were founded during his tenure. Walter Elliot, the British Minister for Agriculture from 1932 to 1936, regarded Patrick Hogan as the pre-eminent agricultural minister globally. This assertion could be seen as questionable; yet, in the tale of a self-governing

Ireland, Hogan is the agricultural minister who has had the most significant influence on his administration's economic strategy.[220]

The nucleus of the new leaders in the Irish Free State had been revolutionaries, aiming specifically to dismantle British control in Ireland. While the British relinquished authority over most of the island to the newly formed state, an Anglo-Irish Protestant elite persisted. The Royal Dublin Society (RDS) stood out as the leading institution among them. Given this, one might assume that the relationship between the RDS and the new Irish state would be strained. Contrary to this expectation, however, their relationship was highly positive. The RDS actively supported the Free State's agricultural policies throughout the 1920s and 1930s.[221]

By 1932, when a change of government occurred, the Irish Free State had boasted a populace of approximately three million people, predominantly residing on modest agricultural plots in the countryside. At that time, it was estimated that approximately 600,000 individuals were engaged in agricultural work; however, due to the prevailing low wages, there was a notable increase in emigration from rural regions.[222]

It is perhaps worth noting that the aspirational Irish Industrial and Agricultural Fair took place on the outskirts of Cork city in 1932, aiming to exhibit Co. Cork and Irish-based goods during the early Irish Free State. Situated in the southern part of Lee Fields, south of Straight Road, it remains a rather obscure fair in the historical context of Cork's famous Exhibitions. This was the fourth effort (1852, 1883, 1901/2, 1932) over eighty years to present the Cork region and its attributes on both national and worldwide platforms. More than eighty acres of land adjacent to the Carrigrohane Straight were acquired from Mr. T.

---

[220] *William Murphy, 'Patrick J. Hogan' (Www.dib.ie2009)*

[221] *Micheál Ó Fathartaigh and Mel Farrell, "'We Have Gone through Quite Sufficient in This Distracted Country": The Royal Dublin Society and the New Irish State 1922–32' (2024) 39 Irish Political Studies 229.*

[222] *Claire Mc Cormack, 'Free State Farmer: A Sense of Irish Farming in 1932' (Agriland.ie2 January 2020)*

Corcoran, vice-chairman of the Cork County Council and key figure in the Cork Farmers' Union, for this substantial fair. The principal structures at the 1932 exposition included the 'Industrial Hall', 'Palace of Industries', 'Hall of Commerce', 'Hall of Agriculture', 'Concert and Lecture Hall', 'Art Gallery', 'Tea Rooms', and two substantial bars for which specific licensing regulations was enacted. In the initial fortnight of the six-month duration, over 50,000 individuals attended. Aware that the exposition was situated at the outside of the City, a new expansive pathway was constructed along the Straight Road. The typical automobile patron could use a structured parking facility, which housed over 3,000 vehicles under the supervision of the Fair officials. Special exhibition buses, managed by the Irish Omnibus Company, operated between the city centre and the grounds. Special trains operated from the western terminal of the Cork & Muskerry Light Railway in the evenings to the venue and returned.[223]

On the topic of export bounties for goods, as per a June 1933 issue of the British Government's 'Board of Trade Journal,' the United Kingdom Trade Commissioner had forwarded to the Board of Trade a revised list of goods, superseding the previous list published in the 'B.T.J.' of November 17, 1932. A bounty, equivalent to any additional duty or duties payable on importation into the United Kingdom under the British Import Duties Act of 1932 and its Orders, was payable on the exportation of these goods from the Irish Free State, subject to conditions that could be prescribed from time to time. The updated list included: mine and quarry products, linen and cotton piece-goods and manufactures, woollen and worsted manufactures, feathers and curled hair, blacking and polishes, shirts, collars and hosiery, and horticultural and nursery goods.

This new list became effective on June 1, 1933, and was stated to remain in force until March 31, 1934. Claims for bounty payments were to be considered under existing arrangements for goods exported on or before May 31, 1933. The Trade Commissioner also reported that the following bounties would be payable on goods exported from the Irish Free State:

---

[223] *Kieran McCarthy, 'History Trail, Lee Fields | Cork Heritage' (Corkheritage.ie2016)*

- Potatoes grown in districts specified in Orders made under the Destructive Insects and Pests Act, 1879 and 1929—£2 per ton.
- Potatoes grown in other districts—£1 17s. 6d. per ton.
- New potatoes (payable until June 30, 1933)—£4 per ton.
- Veal and bullock and heifer beef—7s. per cwt.
- Cow and mutton beef—3s. 6d. per cwt.

The bounty on potatoes replaced the rates published in the 'B.T.J.' of May 4, 1933, and became effective from May 15, 1933. The bounties on veal and beef were payable from May 22, 1933, to registered persons or firms holding beef exporter licences under the Agricultural Produce (Fresh Meat) Acts, 1930 and 1931.[224]

In accordance with the aforementioned Act, regular inspections were conducted at meat processing facilities, including the Corporation Abattoir in Dublin City. Animals, including pigs, cattle, and sheep, underwent a comprehensive and systematic examination. The illnesses and conditions addressed under these rules had included TB, abscesses, pneumonia, pleurisy, parasitism, cysts, pericarditis, cirrhosis, degeneration, nephritis, swine erysipelas, and swine flu.

As per the 'Journal of the Ministry of Agriculture,' following the proposals put forward by the Interim Report of the Pig Industries Tribunal, the Agricultural Products (Regulation of Export) Act, 1933, was enacted to oversee and manage the export of agricultural products to any country that implemented a regulatory framework for the importation of these products. The Department of Agriculture of the Irish Free State also issued an Order known as the Pig Carcasses (Regulation of Export) Order, 1933, utilising the authority granted by the Agricultural Products (Regulation of Export) Act, 1933. The Order, enacted in December 1933, restricted the exportation of pig carcasses from the Irish Free State to Northern Ireland, unless conducted under the terms of a license to export provided pursuant with the Order. It also stipulated penalties for those who had exported, or attempted to export, pig carcasses in

[224] *The Board of Trade Journal (Her Majesty's Stationary Office 1933)*

violation of this regulation.[225] The Agricultural Products (Regulation of Export) Act 1933 was passed on 1 August 1933, having been initiated in June of the same year.[226]

This Act, most likely put forward as a reaction to the UK's Agricultural Marketing Act, 1933, which put more stringent measures on imported livestock from the Free State. In an Oireachtas debate, James Ryan explained that under the Bill, there was no intention to force anyone to export unless they had applied for permission to do so, that is, applied for registration. He noted that paragraph (c) was therefore confined to only registered persons. Ryan acknowledged that some Senators had feared that, should someone register to export, for example, 200 cattle per week, the Minister could then demand they export 1,000 cattle instead. He clarified that this was never the intention. The plan was simply for exporters to adhere to the 200 cattle per week they had committed to, as any deviation would disrupt the entire quota system.

Ryan stressed that paragraph (c) was a crucial clause in the Bill, even going so far as to call it the operative one. If a country provided a quota, the exporter would be required to meet it, with "reasonable tolerance" allowed—5% variation on a 5,000 cattle quota, for example. Similarly, when sub-allocating quotas, each exporter had to meet their individual sub-allocation "within reasonable tolerance." Failure to do so would result in the quota not being filled, which would lead to a reduction in the overall quota for that country.

Ryan concluded that with these amendments, exporters were protected: they were required to register and could not be forced to export more than they had undertaken to do. The term "undertake" had a legal meaning, referring to the commitment the exporter made when applying for a quota. After signing the form and having it witnessed, exporters were bound by their

---

[225] *The Journal of the Ministry of Agriculture (His Majesty's Stationery Office, London 1933)*

[226] *'Agriculture in the 1930s – Irish Legal Blog' (Legalblogie2015)*

commitment, and the power to enforce adherence to this undertaking was given under the Bill.

Kathleen Browne stated that before the Bill was passed, she felt it was important to address the general outlook and what the Bill meant for the country. She believed that, had a competent and honest Government been in power, a good trading agreement with Great Britain could have been reached, and the quota system might never have been applied. This was at least a strong possibility.

Browne also referred to figures published in the morning newspapers, which revealed a significant decline in the country's trade over the past year. The trade for the year ending June 1933 had actually decreased by more than £27,000,000 compared to the previous year, with the cattle trade alone falling by around 50%. She warned that if the quota for the country was based on the previous year's figures, reflecting the number of animals and the quantity of produce exported, then the outlook for the country would be dire, perhaps worse than ever before in its history. She also emphasised the importance of the people understanding the full impact of this situation.

Upon hearing Browne's contribution, the Cathaoirleach replied that they was currently dealing with a quota system that might be imposed by another country, and the Bill was designed to address that situation. He argued that it was not appropriate to discuss the entire issue of the economic war within the context of this Bill.

Kathleen Browne responded by claiming that she was not discussing the economic war. She highlighted the situation of farmers with large numbers of cattle, who could currently sell them at a reduced price. However, with the introduction of the quota system, many of these farmers would be left with unsellable cattle. She questioned how the Minister planned to address this issue, urging attention to be drawn to the reality facing the people, as under the quota system, many cattle would become unsellable.

John Joseph Counihan would state that, due to the ruling of the Cathaoirleach, he could not say much at that stage of the Bill. However, he also expressed fears about the quota regulations and the various Acts passed by the Government, suggesting that they would lead to the Minister gaining dictatorial powers over nearly every producer and trader in the country. He remarked, as Senator Jameson also had, that no government outside of Soviet Russia had ever taken such extensive powers, fearing that the Government's policy was heading towards a dictatorship.[227]

The Agricultural Co-operative Societies (Debentures) Act 1934 was another major milestone in the development of agricultural industry in Ireland. This legislation was enacted to grant certain societies registered under the Industrial and Provident Societies Act, 1893, the authority to issue debentures and secure loans using their uncalled capital, along with other related provisions.[228]

Frank Aiken TD, the Minister for Lands and Fisheries, moved the Bill (before it became an Act) for the second time in July 1934. He believed that the proposal for the Bill to be read a second time highlighted a significant issue faced by co-operative societies registered under the Industrial and Provident Societies Act of 1893. These societies were prohibited from issuing debentures unless they were registered as bills of sale. However, under the Bills of Sale Acts, issuing debentures was generally perceived as a sign of financial distress or impending liquidation. As a result, any attempt by co-operative societies to issue such debentures had an immediate negative impact on their creditworthiness.

Due to these restrictions, societies with inadequate share capital were left with no choice but to borrow additional funds primarily from joint stock banks. When obtaining loans from banks, it was common practice for the banks to require a joint and several guarantee from certain members of the society. From the

---

[227] *'Seanad Éireann Debate - Friday, 28 Jul 1933' (Oireachtas.ie1933)*

[228] *Dáil Éireann, 'Agricultural Co-Operative Societies (Debentures) Act, 1934' (Oireachtas.ie 1934)*

perspective of the agricultural co-operative societies, this form of guarantee was problematic, as it discouraged wealthier individuals from joining out of fear of being asked to act as guarantors. Additionally, it placed an undue financial burden on a small group of committed individuals, rather than distributing responsibility fairly among all members. In most cases, those providing guarantees were members of the society's management committee, who often remained in their roles indefinitely, regardless of their suitability.

When a co-operative society was forced to borrow capital for initiatives intended to benefit its entire membership, it was deemed unfair that only a select few should bear the financial risk. Since the additional funds were required for the welfare of the entire community within the society, the responsibility for repayment should have been distributed equitably among all members. However, under the existing law, no society possessed the inherent authority to implement such an arrangement. This deficiency underscored the urgent need for legal reform, which the proposed Bill sought to address. The measure aimed to grant co-operative societies the ability to secure funding through debentures, using all their assets—including premises, equipment, outstanding debts, stock, and uncalled share capital —as collateral. Under the current law, any such debenture would need to be registered as a bill of sale, thereby severely damaging the society's credit standing. Since a bill of sale effectively destroyed the financial credibility of an entity forced to issue one, the consequences of the existing legal framework were widely recognised.

The Bill did not propose granting all co-operative societies the authority to issue debentures; rather, this power would be limited to societies that received approval from the Minister for Agriculture. It was expected that the Bill's provisions would significantly improve the ability of agricultural co-operative societies to conduct business and would be welcomed by institutions such as the Agricultural Credit Corporation and various banks.

Section 6 of the Bill specifically aimed to provide the agricultural co-operative societies with the legal authority to secure loans

from the Agricultural Credit Corporation and other financial institutions by using their uncalled share capital as security. Furthermore, Section 7 included a retrospective provision to legitimise loans that had already been issued by the Agricultural Credit Corporation, under the assumption that uncalled share capital would serve as collateral for repayment.

It was recognised by those present that the existing laws at that time governing co-operative societies required substantial reform in multiple areas. A comprehensive legislative measure addressing the broader issues of co-operative governance was intended for future introduction. However, the present Bill was conceived as a temporary solution to an urgent and specific problem. Those familiar with the co-operative movement were aware that a more extensive Bill had been under development within the Department of Agriculture for several years. Nevertheless, the immediate necessity of the issue at hand prompted the introduction of this targeted legislation, which was expected to pass with minimal opposition. The Bill sought to provide co-operative societies with a viable means of raising funds by allowing them to use uncalled share capital as security for repayment, rather than resorting to debentures under the restrictive Bills of Sale Acts.

Patrick Belton TD, a large farmer, formerly of Fianna Fáil, but now associated with Fine Gael, opined that Aiken would have needed exceptional skill to disguise this urgent appeal for assistance on behalf of co-operative societies and to get the better of the commercial, join-stock banks. He believed that if a co-operative society encountered financial difficulties and its shares were not fully subscribed, the issuance of debentures based on the uncalled share capital would have appeared highly questionable. To a banker, this would have suggested that the society's original members were either unable or unwilling to pay their full share capital, prompting the society to seek funding from banks instead of disclosing this shortfall.

According to the Bill, he claimed, the following entities were designated as authorised lenders: any Minister, the head of a government department, the Commissioners of Public Works, the Agricultural Credit Corporation, the Industrial Credit

Corporation, the Dairy Disposals Company, any corporate body engaged in lawful banking activities, and any other corporate body approved by the Minister, either generally or for specific transactions. However, there was scepticism about whether these provisions would genuinely improve the situation. Despite this, Patrick Belton acknowledged having no direct involvement with co-operative societies and, therefore, could not personally assess whether obtaining financing was a genuine issue. While the Minister had asserted that such a problem existed, there was uncertainty as to whether the Bill would effectively resolve it.

There was agreement with the Minister's observation that the previous requirement for certain co-operative society members to act as guarantors had led many well-intentioned individuals to suffer financial losses, causing significant harm to the co-operative movement. However, questions remained about whether the Agricultural Credit Corporation (ACC) had provided loans to societies that were now irrecoverable. Based on an interpretation of the Bill, it appeared that these debentures could be issued and subsequently acquired by government departments. Any outstanding debts owed to the Agricultural Credit Corporation, secured against uncalled share capital, could then be claimed. This raised concerns that such debentures or the funds used to purchase them could be seized by the Agricultural Credit Corporation or any other creditor to whom the society was indebted. This approach, they believed, could potentially serve as a means of recovering bad debts at the expense of the State, effectively shifting the financial burden onto taxpayers. In this scenario, the measure could be seen as an indirect way of covering for those who had been entrusted with funds but had failed to exercise due diligence in their lending decisions.

At that stage of the Bill's progression, it was not possible for him to fully scrutinise these concerns, but it was expected that they would be addressed during the Committee Stage. While there was no intention to oppose the Bill outright, criticism was being offered based on underlying suspicions. The existing law stipulated that co-operative societies had no means of raising funds other than through a bill of sale, which was widely regarded as a poor financial indicator. This created a stigma and

resulted in a loss of creditworthiness. Simply renaming a bill of sale as a debenture, he believed, was unlikely to change the fundamental issue. The issuance of debentures would still signal financial instability, and the loss of credit associated with a bill of sale would likely occur in the same way when debentures were used. According to Belton, the fears raised were, therefore, rooted in suspicion and warranted careful consideration.

James Dillon also sought to emphasise to the Minister what he believed were the serious risks associated with Section 4 of the Bill. He believed that the management committees of rural co-operative societies, as referenced in the discussion, generally lacked familiarity with the principles underlying the issuance of debentures. If a co-operative society's manager informed the committee that the society's financial situation required the uncalled capital to be collected, the typical committee of farmers would have quickly grasped the gravity of the situation. They would have remained alert, sought further inquiries, and likely turned to the Department of Agriculture for guidance in assessing their society's financial standing and, if possible, finding a means to restore its viability. In the case of a creamery, such a situation would have heightened the members' sense of responsibility and prompted them to fully acknowledge the financial challenges they faced.

However, by allowing debentures to be issued and secured against the uncalled capital of a society, Dillon believed that shareholders could find themselves burdened with unforeseen liabilities—commitments they had never intended to undertake. While they had initially subscribed only 5 shillings in the pound, it was clear that they remained responsible for the outstanding 15 shillings. If they were informed that the society needed to be wound up, they would likely recognise the situation, pay the remaining amount, and close the society rather than continue investing in a failing enterprise. However, if the proposed scheme proceeded, they could unknowingly transfer the right to call up the remaining capital to institutions such as the Agricultural Credit Corporation, the Commissioners of Public Works, the Industrial Credit Company, the Dairy Disposals Company, or any other banking or corporate body approved by the Minister. In doing so, they might not fully understand the long-term

implications of their decision. Several years after agreeing to such terms, he believed, they could be caught by surprise when proceedings were initiated to claim the uncalled capital, something they had mistakenly believed could not happen without their explicit consent.

Dillon viewed this provision as highly dangerous. Some might argue that societies were not obligated to issue debentures and that members should fully understand the implications before doing so. However, this argument would only hold in cases involving businesses managed by individuals accustomed to handling complex financial transactions. In contrast, rural co-operative societies were composed of members whose financial knowledge was primarily based on their personal experiences and day-to-day business dealings. It was unreasonable to expect these individuals to possess the same financial acumen as those who regularly engaged with financial corporations and transactions. The fears raised about Section 4, he suggested, also applied to the adjacent section of the Bill.

Dillon strongly urged members of the Minister's party to reconsider the potential harm that this provision could inflict upon agricultural co-operative societies. While the intention might have been to offer financial support, the legislation risked creating far more harm than benefit. The significance of Section 7 was also unclear and difficult to fully comprehend.

Dillon noted that, under the provisions of Section 7, whenever Aiken was satisfied, based on an application from the Agricultural Credit Corporation, that money was owed to the corporation by a society registered under the Industrial and Provident Societies Act of 1893, the Minister had the authority to act if the following conditions were met:

> *"(a) The society had taken a loan from the Agricultural Credit Corporation before the passing of the Act, and the loan remained outstanding.*
> *(b) At the time of borrowing, there had been an arrangement or understanding that the loan and its interest would be secured, in addition to any other collateral, by a charge on the society's uncalled capital, if such a charge could lawfully be applied.*

(c) The society's rules had explicitly permitted the uncalled capital to be used as security, either in general or specifically in favour of the Agricultural Credit Corporation."

Dillon questioned the necessity of including this section in the Bill. When an agricultural society secured a loan from the Agricultural Credit Corporation, it had already entered into an agreement granting the corporation certain rights in exchange for financial support. If a co-operative society later found itself unable to repay its debt, the standard legal process would allow the Agricultural Credit Corporation to initiate proceedings, obtain a judgment, and, if necessary, apply for a court order to wind up the society. The assets would then be liquidated and used to reduce the outstanding debt. In such a scenario, the corporation would have had the right to claim the uncalled capital to cover any remaining balance.

The crucial distinction, he said, between Sections 7 and 4 lay in the level of awareness among borrowers. Under Section 7, societies borrowing money would have understood their obligations—they had taken out loans in the normal course of business and knew that failure to repay could lead to liquidation, with guarantors and shareholders being held accountable for uncalled capital. However, under Section 4, societies could unknowingly take on debenture liabilities, misleading them into a financial commitment far beyond what they had originally anticipated. Dillon called upon the Minister to clarify the necessity of Section 7(1) and questioned why the Agricultural Credit Corporation or the Minister required statutory authority to charge outstanding debts against uncalled capital. Concluding the discussion, Dillon moved for the adjournment of the debate.[229]

Dr. James Ryan TD, Minister for Agriculture, proposed that the relevant Dáil Committee agree with the Seanad on an amendment, which inserted a new sub-section before Section 4, sub-section (2). The amendment stated that an agricultural co-operative society could not issue debentures unless its committee had the authority under the society's rules to borrow money and

[229] *'Dáil Éireann Debate - Wednesday, 18 Jul 1934' (Oireachtas.ie1934)*

the amount borrowed was within that limit, or unless a special meeting of shareholders was convened and approved the issuance. In reply to a query by W.T. Cosgrave TD, Ryan noted that the Seanad introduced this amendment to ensure that committees could not issue debentures without proper authorisation. As advised, a committee could only issue debentures if it had borrowing powers; otherwise, approval from the society would be required.[230]

This Act would later be referred to among paragraphs (a) and (d) of subsection (1) of the Central Bank and Credit Institutions (Resolution) Act 2011.[231]

Louis Smith would later note that around seventy agricultural co-operatives had been established across Ireland in the early 1930s with the support of government loans. However, when the government later recalled the capital, these societies collapsed, as they had not been built upon a foundation of member investment. Smith argued that the only sustainable model for co-operation required farmers to assume responsibility for a significant portion of the capital. While the state could provide assistance, it could not effectively use the co-operative structure as a means of distributing financial aid. According to Smith, the state's role was merely to "prime the pump" rather than to sustain these organisations indefinitely.[232]

During the 1930s, the Catholic Church in Ireland began to place a strong emphasis on community as a morally acceptable platform for political activism. Prior to the establishment of the state, the Catholic hierarchy had been wary of local co-operative movements due to the involvement of prominent Protestants like Horace Plunkett (despite the fact that the co-operative movement comprised a core element of Catholic Social Teaching). However, the launch of Muintir na Tíre in the 1930s marked a shift, with the Church actively supporting this community

---

[230] *'Dáil Éireann Debate - Wednesday, 12 Sep 1934' (Oireachtas.ie1934)*

[231] *'Revised Acts' (Lawreform.ie2015)*

[232] *Louis Smith, The Evolution of Agricultural Co-Operation (Blackwell 1961)*

movement. Sean L'Estrange argues that Muintir na Tíre played a significant role in reinforcing the connection between community activism and moral virtue in Irish culture. The movement also encouraged people to view many social issues as best addressed at the community level.[233] Founded by Canon John Hayes, as a densely populated grassroots voluntary organisation, it would influence government policy and the practical application of the co-operative movement, as well as the corporatist system as espoused in Catholic Social Teaching.[234] Muintir na Tíre was initially characterised by its blend of an "all together" ideology, which emphasised self-help, class co-operation, and subsidiarity—principles rooted in both nationalism and Catholic social teaching. This was combined with an organisational structure shaped by its own corporatist and vocational principles.[235] Of course, Catholic influence, including the rise of Catholic Action, would serve as a driving force for the formulating of rural policy from the 1930s onwards.[236]

This outlook would lead to conflict within Irish society regarding the Americanised model of rural economic development from the Marshall Plan, post World War II. This opposition stemmed from a strong belief in Irish cultural exceptionalism, viewing the nation as an anti-materialist society, otherwise best suited to a corporatist model or co-operative distributism based on Catholic Social Teaching.[237] Hayes' background would have a long-lasting and relevant impact on the work of the organisation, for he was

---

[233] Niamh Hourigan, Rule-Breakers: Why 'Being There' Trumps 'Being Fair' in Ireland (Gill & MacMillan 2015).

[234] Tony Varley and Diarmuid Ó'Cearbhaill, 'Empowering Communities through Community Action in Rural Ireland: The Case of Muintir Na Tíre' [2018] Routledge eBooks 171.

[235] T Varley, T Boylan and M Cuddy (eds), Rural Crisis: Perspectives on Irish Rural Development (Centre for Development Studies, University College Galway 1991)

[236] T Finn and T Varley (eds), Inside Rural Ireland: Power and Change since Independence (UCD Press 2024).

[237] Till Geiger and Michael Kennedy (eds), Ireland, Europe and the Marshall Plan (Four Courts Press 2004)

born in a Land League 'hut,' and his family had been evicted from their holding by the agents of Lord Cloncurry.[238]

Another key piece of legislation to be passed was the Tobacco Act 1934. This was an act which aimed to enhance the regulation and oversight of tobacco cultivation in Saorstát Éireann, along with its manufacture and sale. It also addressed various matters related to or associated with both home-grown and imported tobacco.[239]

According to a report by American Vice-Consul Edwin J. King, released by the Tobacco Division of the Department of Commerce, the Irish Free State imported 590,032 pounds of unstemmed leaf tobacco in January 1935, valued at £29,133. This marked a significant decline compared to January 1934, when imports amounted to 1,641,796 pounds, valued at £98,869—a decrease of 1,051,764 pounds or approximately 64%. The decline was likely due to the large stockpiles carried over from substantial imports in 1934. Similarly, imports of stemmed leaf tobacco fell from 127,659 pounds (£8,423) in January 1934 to 99,227 pounds (£8,640) in January 1935. Meanwhile, manufactured tobacco imports slightly decreased from 2,491 pounds (£1,235) to 2,421 pounds (£1,391).

Under Part I of the Tobacco Act of 1934, the Minister for Industry and Commerce of the Irish Free State had established an Advisory Council composed of representatives from leading tobacco manufacturers. The council's role was to assist in implementing the Act and advise on the most effective methods of integrating home-grown tobacco into production each year. For the fiscal year ending July 5, 1934, Irish Free State manufacturers had used 269,757 pounds of locally grown tobacco. This included 684 pounds for cigarette production, 18,488 pounds for tobacco mixtures, 234,720 pounds for hard-pressed tobacco, and 15,865 pounds for snuff. In contrast, these manufacturers had used 9,016,974 pounds of imported tobacco,

---

[238] *Barry Sheppard, '90 Years of Muintir Na Tíre - Queen's Policy Engagement' (Queen's Policy Engagement7 May 2021)*

[239] *'Tobacco Act 1934' (Irishstatutebook.ie1934)*

meaning that domestic tobacco accounted for only 2.9% of total usage. One of the primary goals of the 1934 Tobacco Act was to increase this percentage in the following years.

To support local cultivation, the Minister for Agriculture had approved the cultivation of 1,100 acres of tobacco in 1934, and increased this to 1,500 acres for 1935. The 1934 crop was still being processed, and its total yield had yet to be determined. Once the tobacco had been graded, packed, and stored, a valuer appointed by the Minister for Agriculture would assess the value of each package.

Each package had been catalogued with two pricing components:

1. The "basic price," representing the price an importer would have paid for the tobacco if delivered in bond in the Irish Free State.
2. An additional charge reflecting the difference between Excise and Customs duties on that class of tobacco, which at the time was set at 10 pence per pound.

After cataloguing, the Minister for Industry and Commerce issued "Sale Orders," requiring manufacturers to purchase a proportion of the locally grown tobacco based on their total tobacco usage in the previous year. Following the issuance of Sale Orders, re-handlers were required to pay growers the basic price plus a bonus, the amount of which was determined by the Minister for Agriculture based on the quality and grade of the tobacco. The bonus was funded by the additional 10 pence per pound paid by manufacturers as part of the catalogue price. This fund also covered the re-handlers' processing fees, which for the 1934–35 period had been set at 5 pence per pound, though this rate could be adjusted annually at the Minister's discretion.[240]

The Butter Marketing Committee would be re-constituted through the Dairy Produce (Price Stabilisation) Act 1935, which

---

[240] *Tobacco: An Illustrated Weekly Journal for the Wholesale and Retail Dealers in Cigars, Manufactured Tobacco and Smoker's Articles (Lockwood Trade Journal & Co 1935)*

would ultimately be replaced by Bord Bainne in 1961.[241] The Butter Marketing Committee served as a pivotal organisation for fundamental marketing efforts. The Act created circumstances that established an equilibrium among markets and creameries, particularly notable in 1939 with the onset of the Second World War, and the subsequent implementation of butter restrictions in Ireland. The true intention for the near term was clear. As highlighted in '*A Border Co-op,*' it was indeed a lamentable situation that a nation renowned for its dairy production, like Ireland, found itself incapable of supplying adequate butter for its own populace during this period. Following the war, the situation did not see substantial improvement, necessitating the importation of dairy products from New Zealand on at least two separate occasions.[242]

Case law involving the 1935 Act would appear in the 1980 edition of the Law Society's '*Cases and Materials on the Irish Constitution*.' As depicted from extracts of the Supreme Court Case, *Deaton v. The Attorney General and the Revenue Commissioners*,[243] Ó Dálaigh J, presiding, declared that this case involved an appeal by the plaintiff against a ruling by Mr. Justice Kenny, who dismissed the plaintiff's claim. The plaintiff sought a declaration that certain provisions of the Customs Acts, particularly Section 186 of the Customs Consolidation Act, 1876, were, in fact, unconstitutional. The particular section in question granted the Revenue Commissioners the authority to decide, during the hearing of a criminal case, the type of penalty or punishment to be imposed by the Court. The plaintiff argued that this power was inconsistent with the Constitutions of both Saorstát Éireann and Ireland, rendering it invalid. The plaintiff argued that the provisions of both the Constitution of Saorstát Éireann and the Constitution of Ireland rendered the relevant legal provisions invalid and without effect. Additionally, as a form of consequential relief, the plaintiff sought an injunction to prevent the Attorney General from proceeding with, or attempting to

---

[241] *'Agricultural Agencies – Irish Legal Blog' (Legalblog.ie)*

[242] *John O'Donnell, A Border Co-Op: The Town of Monaghan Centenary, 1901-2001 (Town of Monaghan Co-op 2001)*

[243] *[1963] IR 170*

proceed with, two summonses dated 6th March 1959. In these summonses, the Attorney General, acting as the complainant, charged the plaintiff with two offences:

- (a) Knowingly possessing certain goods—specifically, 541 pounds of butter—on 27th June 1958 at 136 Emmet Road, Inchicore, Dublin. At that time, the importation of such goods was prohibited under Section 24 of the Produce (Price Stabilisation) Act, 1935, as amended by Section 8 of the Dairy Produce (Price Stabilisation) (Amendment) Act, 1938, in violation of Section 186 of the Customs Consolidation Act, 1876.
- (b) Being knowingly involved in dealing with the same 541 pounds of butter at the same location and date, in breach of the same statutory provisions.

For each offence, the Revenue Commissioners opted to impose a financial penalty of £327 17s. 3d. Under Section 186 of the Customs Consolidation Act, 1876, anyone found guilty of an offence under this section was required to forfeit either three times the value of the goods (including any applicable duties) or a fixed sum of £100, at the discretion of the Commissioners of Customs (now the Revenue Commissioners). The offender could either be detained or prosecuted by summons.

The plaintiff contended that granting the Revenue Commissioners the authority to determine the penalty imposed by the Court was unconstitutional. He argued that this either amounted to the administration of justice by a body that was not a Court established under the Constitution or constituted an interference with the judiciary in a domain that should remain strictly judicial. The Supreme Court had previously ruled in *Melling v. Ó Mathghamhna and the Attorney General*[244] that proceedings under Section 186 of the Customs Consolidation Act, 1876, were criminal in nature. The plaintiff initiated this legal action by issuing a plenary summons on 30th May 1961.

The arguments presented before the Court were relatively narrow in scope. The plaintiff maintained that when the

[244] *[1962] IR 1*

Legislature established a range of penalties or alternative punishments, the responsibility for selecting the appropriate penalty in an individual case must rest with a judge or a Court. He asserted that such a selection process was an inherent part of the administration of justice. Conversely, the respondent argued that the choice of penalty was not a judicial function but rather an administrative or executive act. Therefore, in the present case, the respondent contended that the Revenue Commissioners' authority to impose a higher penalty was constitutional. The respondent further argued that when the Legislature prescribed a fixed penalty, it effectively made the selection itself, demonstrating that the selection of a penalty was not considered a judicial function, nor was it regarded as part of the administration of justice or within the judicial domain. To assess the opposing arguments in this case, it was useful to categorise the functions performed by a judge in a criminal trial under three headings:

(i) (a) When presiding over a trial with a jury, the judge directed the jury on matters of law.
(b) When sitting in a court of summary jurisdiction, the judge determined whether the accused was guilty or not guilty.
(ii) The judge selected the sentence to be imposed.
(iii) The judge then imposed the selected sentence.

Traditionally, these three functions had been the exclusive domain of judges or courts. Outside of the present case, no other instance had been brought to the Court's attention in which the second function—the selection of a sentence—had been entrusted to any entity other than a judge or a court. The first and third functions were undisputedly part of the administration of justice. However, it was argued that the second function was not necessarily a judicial one, as the Legislature could prescribe a fixed penalty for an offence, effectively determining the punishment for a given case.

While the Legislature's prescription of a fixed penalty was recognised as a legislative act, and a judge's selection of a sentence was acknowledged as a judicial act, the argument was made that when the selection of punishment was delegated to a

government department, it became an administrative or executive function. The Court rejected this reasoning. A clear distinction existed between establishing a fixed penalty and selecting a specific penalty in an individual case. Prescribing a fixed penalty constituted a general rule—a fundamental aspect of legislation—whereas selecting a penalty to be imposed in a particular instance was entirely different.

This was where the respondent's argument failed. The Legislature did not determine the penalty for an individual citizen's case; rather, it established a general rule, and it was the responsibility of the courts to apply that rule. If the Legislature prescribed a fixed penalty, then all individuals convicted of the same offence received the same punishment. However, if the law provided for a range of penalties to be applied based on the circumstances of each case, then a selection had to be made. At that stage, the matter ceased to be legislative. Traditionally, such a choice had belonged to the courts.

Where the Legislature provided a range of penalties, the citizen was protected from potential Executive overreach by ensuring that an independent judge determined the appropriate punishment. Just as an individual required judicial safeguards during trial, they also needed such protection in sentencing. The degree of punishment imposed on an individual directly affected their liberty. Given that the Constitution was fundamentally based on the separation of powers, a principle shared by both the Constitution of Saorstát Éireann and the Constitution of Ireland, and it was inconceivable that the Executive could have been granted the authority to select the punishment imposed on citizens. Such a system of governance would amount to arbitrary rule.

It was important to note, however, that this case concerned a statute enacted in 1876, whose legal framework had later been adopted in the Dairy Produce (Price Stabilisation) Acts, 1935 and 1938. The case dealt with a subject matter that, until very recently (as that time), had been regarded as falling within the realm of civil rather than criminal jurisdiction. Consequently, there was no suggestion that the Oireachtas had attempted to grant the Executive the authority to determine the punishment a

citizen would face. However, it was necessary to point out that if the respondents' argument had been upheld, then, within the limits set by the Oireachtas, the selection of punishment for a law-breaking citizen could have been lawfully and entirely entrusted to the Executive.

The Court held that the selection of punishment was an essential component of the administration of justice and, as such, could not be assigned to the Executive, as Parliament had attempted to do under Section 186 of the Customs Consolidation Act, 1876. The Constitution rendered the section invalid only to the extent that it conflicted with or was inconsistent with constitutional principles, that is, in so far as the selection of the penalty had been assigned to the Commissioners of Customs (now the Revenue Commissioners). As a result, the section remained in effect but with the phrase "at the election of the Commissioners of Customs" (now, being the Revenue Commissioners) removed.

The determination of which of the alternative penalties prescribed by the section should be imposed, along with the question of the accused's guilt, was held to be a matter for the court conducting the trial. On that basis, the Court allowed the appeal.[245]

The Milk and Dairies Act 1935 (which originated from the Milk and Dairies Bill 1934) defined the term "dairy" as encompassing any agricultural establishment, including farmhouses, cow-sheds, milk-stores, and milk-shops, as well as any location from which milk was provided for sale or utilised for commercial reasons. Furthermore, for a milk purveyor without a dedicated sales premises, it referred to the location where the vessels utilised for milk sales were stored. However, it excluded shops that sold milk solely in the original, sealed containers in which it was presented, or establishments where milk was sold exclusively for on-site consumption. It also included the term "dairyman," which comprised an individual who occupied a dairy, or served as a supplier of milk.

---

[245] *James O'Reilly, Cases and Materials on the Irish Constitution (Incorporated Law Society of Ireland 1980)*

Dr. James Rowlette TD had expressed worries about a new section proposed by the Parliamentary Secretary (Fianna Fáil's Dr. F.C Ward TD) in the original Bill (immediately prior to Section 7). If surplus milk produced on a farm was occasionally sold to individuals for consumption by them or their families, and if selling milk was not part of the regular business of the farm's occupier, then, for the purposes of this Act, the farm was not considered a dairy, and the occupier was not regarded as a "dairyman."

He acknowledged that there would be no objection if one milk producer occasionally helped a neighbour during a shortage. However, he feared that the new provision could lead to abuses and be difficult to enforce strictly. He imagined a scenario where a contractor, short of milk, might buy from a neighbour, claiming the milk was for personal use, not for resale. Rowlette worried that such a defence would make it hard to secure a conviction and that the section, if passed, could be exploited, undermining the intent of the Bill. He urged the Parliamentary Secretary to reconsider the amendment.[246]

According to Ann-Marie Durkan, the original Milk Supply Bill, when it was initially presented in 1934, was considered inadequate in fulfilling its mission. There was no obligation for milk to adhere to certain standards or for all creameries to get licensure. Furthermore, it did not provide extra-terrestrial authority to urban officials, so inhibiting Dublin Corporation inspectors from accessing the premises of milk producers situated outside the city's limits. The public reacted to health advisories about the potential risks associated with milk, resulting in a very low consumption rate, particularly in Dublin. Notwithstanding the existence of several institutions, including voluntary ones such as hospitals and schools, there was a reluctance to implement changes, perhaps due to the associated higher expenses of certified milk, which was pricier. This raised considerable worry among the medical community, since milk is seen as a very nutrient-dense diet vital for proper development. Dublin City Council sought to re-establish public faith in milk with the initiation of the 'Drink More Milk' campaign;

---

[246] *'Dáil Éireann Debate - Friday, 15 Mar 1935' (Oireachtas.ie1935)*

nonetheless, several physicians in Ireland had maintained that pasteurisation remained the sole means to ensure milk cleanliness. The Milk and Diaries Act (1935) was not enacted until July 1937. From this point onwards, milk had to be promptly chilled, filtered, and readied for shipment; all individuals engaged in the preparation of milk for sale and consumption are needed to be registered; dairies, dairy cattle, and dairy personnel must be maintained in pristine cleanliness. Furthermore, the legislation applied to any facility that routinely sold milk. Nonetheless, it did not confer upon municipal authorities the authority to dispatch inspectors to assess cattle and dairies beyond their sphere of influence. The Irish Clean Milk Society dissolved in 1937, upon achieving its goal with the passage of that Milk Supply Bill. The enactment of this measure significantly impacted Dublin cowkeepers, since the cost of milk production in the city substantially increased. By the conclusion of 1937, dairy workers in Dublin were advocating for a salary increase, improved working conditions, a prohibition on milkers completing additional duties, and a limitation on the employment of those below the age of 15.[247]

Statutory milk boards would also be created to provide a guaranteed supply of milk in the city districts of Cork and Dublin.[248] First established in Dublin, the second board in Cork would be spearheaded by farmers' leader Patrick J. Manley of Carrignavar parish,[249] [250] as outlined in a 2023 article by 'That's Farming'. Involved in its establishment was also then-TD, Martin Corry, himself a farmer and a member of the governing Fianna Fáil party.[251]

---

[247] *Ann Marie Durkan, 'How Dublin Got a Clean Milk Supply in the 1930s' [2023] RTE.ie*

[248] *'Ex-Milk Board Employees Paid €1.8m for Doing Nothing' (Irish Examiner30 March 2006)*

[249] *'Cup Pays Tribute to "Packie" Joseph Manley' (Muskerry-North City News2024)*

[250] *(n 95)*

[251] *'The Foundation of the Old Cork Milk Board' (That's Farming2023)*

The Pigs and Bacon Act 1935 was also enacted that year to provide for the control and regulation of bacon production and marketing. It also included provisions related to various associated matters, such as the regulation of pig prices.[252]

This served as the basis for the establishment of the Pigs Marketing Board on 2 September 1935, a statutory body. This later merged with the Bacon Marketing Board to form the Pigs and Bacon Commission in 1940.[253] Part 2 of the Pigs and Bacon Act 1935 didn't come into effect until 1 April 1937, and a subsequent Act passed in 1937 would come into effect later in the same year.[254] According to a contemporary publication published by the International Institute of Agriculture, The primary objective of this amendment, by means of the 1937 Act, was to phase out smaller-scale bacon producers, with provisions included to compensate those affected.[255] The marketing boards were credited with stabilising the sector, and meeting the British quota level, however, the curers who comprised the Bacon Marketing Board would be accused of ignoring "the interests of the consumer." Curers developed a monopoly on the domestic market, with official state papers claiming that they were "charging excessive prices" and causing "interference with free competition."[256]

As per the '*Annual Review of Irish Law, 1995*,' the Acts would find relevance in the 1990s with the development of EU law in this domain. The European Communities (Meat Products and Other Products of Animal Origin) Regulations 1995 (SI No. 126 of 1995) implemented several European directives, including 77/99/EEC, 92/5/EEC, 92/45/EEC, 92/116/EEC, 92/118/

---

[252] *'Pigs and Bacon Act 1935' (Irishstatutebook.ie1935)*

[253] *'Pigs Marketing Board' (Irish State Administration Database2 September 1935)*

[254] *Report of the State of Public Health in the City of Dublin for the Year 1937 (Dublin Corporation 1938)*

[255] *'Monthly Bulletin - Agriculture Economics and Sociology Vol-Xxix' (International Institute of Agriculture1938)*

[256] *Arthur Maltby, 'Irish Official Publications: A Guide to Republic of Ireland Papers, with a Breviate of Reports, 1922-1972' (Pergamon Press1980)*

EEC, and 92/120/EEC, along with Decision 94/383/EC. These regulations established comprehensive health requirements for the production—such as heating, curing, and wrapping—and marketing of meat products, including prepared meals and other animal-derived products intended for human consumption or use in food preparation. The regulations set out stringent standards for manufacturing facilities and operational procedures to ensure hygienic production. They also mandated the affixing of health marks on meat products. Additionally, extensive inspection powers were granted to officers from the Department of Agriculture and Food.

Notably, Regulation 22 of the 1995 Regulations explicitly stated that they applied "in lieu" of sections 10–13, 21, and 22 of the Pigs and Bacon Act 1935 as well as sections 33 and 34 of the Slaughter of Cattle and Sheep Act 1934. This clear reference to the provisions of the existing statutory framework was considered more satisfactory than the vague allusions to previous legislation, which had been criticised in the *1993 Review* regarding similar regulations in the agricultural sector.[257]

These Acts of 1935 and 1937 would later play a key role in the domain of constitutional law. Some attribute the origin of the presumption of constitutionality to the judgment of Mr Justice Hanna in *Pigs Marketing Board v. Donnelly*.[258] In that case, Mr Justice Hanna used language closely resembling the modern formulation of the constitutional presumption. On page 417 of the report, he stated that when a court evaluates the constitutionality of a law, it must first accept as a fundamental principle that legislation enacted by the Oireachtas, the elected representatives of the people, is presumed to be constitutional unless proven otherwise. However, in that case, he was assessing the validity of two Acts—the Pigs and Bacon Act 1935 and the Pigs and Bacon Act 1937—both of which had been enacted before the 1937 Constitution came into effect. In contemporary

---

[257] *W Binchy and R Byrne (eds), 'Annual Review of Irish Law, 1995' (Roundhall Sweet & Maxwell1997)*

[258] *[1939] IR 413*

terms, he was examining their validity in relation to the 1922 Constitution, and the consistency with the 1937 Constitution.

The issue was further complicated by the fact that Mr Justice Hanna, in the passage referred to, did not differentiate between the Oireachtas of Saorstát Éireann and the Oireachtas established under the 1937 Constitution. Clearly, it would have been illogical to presume that the Saorstát Éireann's Oireachtas had complied with the provisions of a constitution that had not yet come into existence. However, it would have been reasonable to assume that it had adhered to the 1922 Constitution.

Mr Justice Hanna also put forward another significant reason why enacted laws deserved respect: they were passed by the elected representatives of the people. This reasoning, however, applied to all laws in force in Ireland, whether enacted by the current Oireachtas, the previous Oireachtas, or the British Parliament. It was for this reason that the burden of proof always rested on a plaintiff challenging the constitutionality of legislation. This sometimes made it difficult to distinguish between the burden of proof required when contesting legislation that benefited from the presumption of constitutionality and when challenging legislation that did not.

There was, however, one category of cases where this distinction was crucial. If the legislation under scrutiny was enacted after the adoption of the 1937 Constitution and was presumed constitutional, the courts could safely assume that any discretionary powers granted under it were intended to be exercised in accordance with the Constitution. However, if the legislation had been enacted before the Constitution came into effect—whether by the British Parliament or the Saorstát Éireann's Oireachtas—the courts could not safely infer that the discretion granted by such legislation was intended to align with the 1937 Constitution. Moreover, the courts could not logically restrict such discretion by implicitly or explicitly adding conditions to it, as that was a function of the legislature, not the judiciary.

There might, however, have been one exception to this principle. In many instances, the wording of the 1937 Constitution was

identical to that of the Saorstát Éireann Constitution. In such cases, the presumption that legislation enacted by the Saorstát Éireann Oireachtas had not violated the 1922 Constitution could extend to a presumption that it did not contravene the corresponding provisions of the 1937 Constitution either.[259]

The Agricultural Wages Act 1936 was a law established to regulate the wages of agricultural workers, and to address other related matters.[260] The Agricultural Wages Act of 1936 marked a significant advancement in the oversight of wages for agricultural labourers by creating the Agricultural Wages Board, tasked with determining a minimum standard of remuneration. In August 1937, the inaugural directive of the board established a wage floor of 24 shillings for a six-day workweek comprising 55 hours, applicable to males aged 21 and older who were not residing on the farm. Reduced rates were established for the younger demographic segments. The current daily existence of agricultural workers remains an area of conjecture, as there is no research of similar breadth and depth to the groundbreaking studies conducted by Evans and Hawkins in Britain, which primarily relied on oral history, available within the Irish context. Nonetheless, when juxtaposed with the earnings of other unskilled labourers, the compensation received by agricultural workers appears rather scant. For instance, a bricklayer in Dublin, where the wages were significantly higher than in other locations (including London), earned 81 shillings per week in 1931, while an agricultural labourer in County Westmeath received approximately 22 shillings. The disparity observed among skilled and unskilled workers aligns with European norms; however, within the context of the Irish Free State, it is noteworthy that male urban unskilled workers received significantly higher earnings compared to those in rural areas. Undoubtedly, securing the more lucrative positions proved to be quite challenging, particularly in the rural areas.

---

[259] *D Curtin and D O'Keeffe (eds), Constitutional Adjudication in European Community and National Law: Essays for the Hon. Mr. Justice T.F. O'Higgins (Butterworths 1992)*

[260] *'Agricultural Wages Act, 1936' (Irishstatutebook.ie1936)*

As noted in '*Demography, State and Society*,' the overall depiction of the noticeably deteriorating circumstances for agricultural workers in relation to their manufacturing or industrial counterparts during the 1930s is encapsulated in a comparative analysis of the fluctuations in wage rates across various sectors of work. The issue was exacerbated by the severely restricted opportunities in manufacturing or industrial employment, especially in the western and north-western counties. This situation persisted despite the vigorous attempts made by the newly established Fianna Fail government post-1932 to elevate non-agricultural employment through a protectionist economic strategy. Workers were predominantly engaged on the larger agricultural holdings, which were involved in cattle production.[261]

Case law regarding discharge of an entire employment contract in relation to the Agricultural Wages Act 1936 can be found in *Creagh v. Sheedy*.[262] The plaintiff entered into a contract to work for the defendant for one year. Throughout the year, various sums of money were paid to him upon request. However, before the year ended, the plaintiff left the defendant's employment and claimed £45 in unpaid wages or, alternatively, as a *quantum meruit*. It was held that, since the plaintiff had voluntarily left his employment, he was not entitled to succeed on either claim. It was determined that the Agricultural Wages Act 1936 had not altered the common law position.[263]

The Agricultural Wages Act 1936 would be complemented by subsequent acts up to 1969, but was ultimately repealed by the Industrial Relations Act 1976.[264]

The Agricultural Produce (Cereals) Act 1936, which amended and extended the Cereals Acts of 1932-1935, was also notable.

---

[261] *Enda Delaney, Demography, State and Society : Irish Migration to Britain, 1921-1971 (Liverpool University Press 2000)*

[262] *[1955–1956] Ir. Jur. Rep. 86*

[263] *Michael Farry, Concise Contract Law (Blackhall Publications 2006)*

[264] *Tony Kerr, The Trade Union and Industrial Relations Acts (Roundhall 2001)*

Among the main provisions in this Act included the assertion that the Minister had the authority to issue orders as often as deemed necessary regarding compulsory sales. A compulsory sale order could be served on any registered wheat dealer or milling licence holder, as the Minister saw fit. This order required the designated seller to sell, and the designated buyer to purchase, a specified quantity of home-grown millable wheat within a set timeframe. The price and conditions related to carriage and delivery were determined by the Minister and outlined in the order. In this section of the Act, the terms "vendor" and "purchaser" referred to the individuals obligated to sell and buy the wheat under the compulsory sale order.

The Minister had the authority to grant licences for activities that would otherwise be unlawful under this part of the Act unless carried out with ministerial approval. These licences could be subject to conditions specified by the Minister. For instance, a licence to sell maize or maize meal could include a condition that sales be restricted to individuals holding a corresponding purchase licence. Similarly, a purchase licence could require that maize be bought only from licensed sellers. The Minister also retained the power to revoke any licence issued under this provision at any time.

Additionally, the Minister could issue orders concerning the composition of maize meal mixtures. A "maize meal mixture (whole oats) order" could mandate that any oats included in the mixture be in the form of the entire product derived from grinding oats. Likewise, a "maize meal mixture (oat kernels) order" could require that oats be in the form of the entire product derived from grinding oat kernels. The Minister had the authority to revoke such orders and to ensure that any order issued before a designated date would not take effect before that date.

From the appointed day onwards, registered maize millers were prohibited from selling or offering for sale any maize meal mixture unless it met specific requirements. If no maize meal mixture order was in force, oats included in the mixture had to be either the entire product of ground oats or ground oat kernels. If a whole oats order was in force, only ground oats

could be used, while an oat kernel order required the use of ground oat kernels. Furthermore, if the mixture contained oats in a particular form, the proportion of ground maize had to comply with the prescribed percentage. The Minister was responsible for setting these percentages, categorising different mixtures accordingly, and prescribing limits for each class. Any registered maize miller who failed to comply with these requirements committed an offence under this section.[265]

The Dairy Produce (Price Stabilisation) (Amendment) Act 1938 was enacted to grant the Minister for Agriculture the authority to suspend certain provisions of the Dairy Produce (Price Stabilisation) Act, 1935, to modify and expand its scope, to introduce levies on butter, and to address other related matters.[266] Dr. James Ryan, Minister for Agriculture, explained that this aimed to refine the 1935 Act, particularly by addressing issues with levies on non-creamery butter. While the Act worked well for creamery butter, the levy on non-creamery butter proved difficult and costly to enforce, leading to its suspension from 1st January 1937. This made dealer registration unnecessary, and the Bill sought to formally suspend these provisions, retroactively applying from that date.

Ryan noted that the Minister's power to collect levies was previously limited to certain registered groups, which sometimes hindered butter trade regulation. The Act extended levy collection to prevent speculative profits when prices changed. It also proposed repealing impractical registration rules, allowing levy refunds on exported or repurposed cream, and enabling retrospective levy reductions. Additionally, the Bill aimed to simplify butter import levies by removing prepayment requirements and granting flexibility to amend rates. It also introduced powers to adjust bounty payments and ensured that both sellers and buyers of underpriced butter could be held accountable.

---

[265] *'Agricultural Produce (Cereals) Act 1936' (Oireachtas.ie1936)*

[266] *'Dairy Produce (Price Stabilisation) (Amendment) Act, 1938' (Irishstatutebook.ie1938)*

Meanwhile, deputy James Dillon opposed making the purchaser liable under the Bill's Section 12, arguing that while creamery managers were kept informed of minimum prices, the average shopkeeper was not. Grocers, Dillon asserted, focused on securing the best value for customers, and should not be burdened with extra legal obligations. He contended that only those directly involved in dairy production, such as creamery managers or dairymen, should be held accountable for selling butter below the regulated price.

Dillon also questioned the long-term sustainability of the dairy industry under the existing system. He argued that Ireland needed either a complete restructuring to ensure a steady butter supply year-round, similar to Denmark, or an alternative approach where milk was treated as a by-product of livestock farming and distributed freely to those in need. He suggested that instead of subsidising butter production primarily for British consumers, the government should prioritise feeding Ireland's urban poor by purchasing milk and distributing it at no cost. He criticised the current approach as ineffective and unfair, with Irish consumers paying higher prices to supply cheap butter to British cities like Birmingham and Manchester. He urged a clear decision: either commit fully to a well-organised dairy industry capable of year-round production or focus on livestock farming while ensuring milk benefits the Irish population. Above all, Dillon called for an end to what he regarded as merely short-term fixes, advocating for a decisive and strategic approach to the dairy sector.

James Dillon also criticised the chaotic state of the dairy industry, attributing it to the government's excessive levies, counter-levies, and complex legislation. He argued that only someone entirely dedicated to tracking these constant changes could make sense of them. He found it ironic that the levy on farmers' butter had now been abandoned, recalling how Fianna Fáil deputies, including Martin Corry and Patrick Smith, had once vehemently defended it. Initially, any suggestion of amending the levy system was met with fierce opposition, but political realities eventually forced its removal. Drawing parallels, Dillon predicted that other government policies, such as the

maize meal mixture, the wheat subsidy, and the beet subsidy, would also be abandoned in due course.

James Ryan countered James Dillon's claim of "frantic confusion" in the butter trade, suggesting that the confusion lay more with deputies struggling to follow complex legislation rather than with the industry itself. He acknowledged that frequent amendments made the legal framework difficult to track but argued that this was an unavoidable consequence of evolving policy. Once a more stable system was established, he believed a single, consolidated Bill could be introduced to simplify matters. Ryan insisted that the butter trade was well-regulated, benefiting both producers and consumers. Farmers, he claimed, knew exactly what they would earn, and consumers had price stability instead of the fluctuating costs of the past. He rejected Dillon's assertion that Irish consumers were being taxed to subsidise cheap butter for Britain, stating that domestic prices were fair and comparable to those in Britain. He cited a recent visit to London, where New Zealand butter, priced similarly to Irish butter, was selling at 1/8 per pound—far higher than the figures claimed in the Dáil. He suggested that British distributors were profiting more than their Irish counterparts.

On the farmers' levy, Ryan defended his past advocacy, explaining that it was introduced when global butter prices were significantly lower, at around 68/- per cwt. He recalled that in 1934-35, over £2.5 million was spent on subsidies and bounties, and raising the price of milk to 5d per gallon would have cost an additional £1 million. With world butter prices became much higher—averaging 112/- or 114/- per cwt.—the financial burden had eased. He justified the levy on farmers' butter by pointing out that without it, creameries would have been at a competitive disadvantage. The levy, he insisted, helped to create a separate price pool for farmers' butter, allowing for higher payments on non-creamery butter exports, and ultimately benefiting farmers overall.

Furthermore, James Ryan defended the farmers' levy, asserting that it was genuinely in farmers' best interests, despite opposition from deputies like James Dillon. He argued that those who took the time to understand the system would agree with him, while

others opposed it simply for political advantage. Addressing Dillon's fear about penalising purchasers, Ryan clarified that the issue was not with ordinary grocers, who generally paid at least the minimum price. Instead, he pointed to large wholesalers with ready cash, who might tempt struggling creameries into selling below the fixed price in exchange for immediate payment.

On the question of ensuring a year-round butter supply, Ryan acknowledged that while he had previously agreed with Dillon's argument for stabilising production, he had since encountered persuasive counterarguments. Some believed that Ireland could thrive within a seasonal trade model, with New Zealand and Australia supplying butter during Ireland's off-season. Ryan also countered a belief of Labour's Deputy Michael Keyes' that Section 4 of the Bill would save the Exchequer money. He explained that the Dáil allocated a fixed budget for creamery subsidies, which was always spent to maintain the highest possible butter prices. Section 4, he highlighted, mainly concerned price changes—when prices rose, dealers with existing stock would profit unless a levy was imposed to offset the increase.[267]

At the outbreak of the Second World War, a state of emergency was declared, prompting the government to enact emergency legislation that significantly expanded its powers. Due to limited imports, the country had to rely almost entirely on self-sufficiency in agriculture. The Emergency Powers Act 1939 granted the government authority to issue emergency orders with the force of law, allowing for strict regulation, compulsory organisation, and rationing of agricultural production.

One of the key measures introduced was compulsory tillage, with over 200 tillage inspectors employed by the war's end to enforce compliance. Wheat production became a priority, as wheat imports were heavily restricted, making domestic production essential for bread supply. During the emergency period, wheat output tripled, aided by a guaranteed produce price scheme that was further strengthened when compulsory tillage orders were introduced.

---

[267] *'Dáil Éireann Debate - Wednesday, 16 Nov 1938' (Oireachtas.ie1938)*

Under these orders, a set percentage of all arable land above a certain size had to be dedicated to tillage. As grain imports became increasingly scarce during the war, the proportion of land required for tillage was expanded. Restrictions were also placed on the production of barley and oats for animal feed to ensure sufficient grain supply. Additionally, sugar production was made compulsory to support food self-sufficiency. Failure to comply with tillage orders was considered an offence, and the government had the power to prosecute or even take over non-compliant holdings if necessary. To prevent labour shortages in agriculture, restrictions were imposed on emigration, initially targeting farm labourers but later extending to residents of towns with populations exceeding 5,000.[268]

The policy created by the Compulsory Tillage Order had initially faced resistance, as it demanded a shift from traditional agricultural practices. Over time, however, an increasing number of farms transitioned to tillage, leading to a rise in activity for threshing mills.[269] The Compulsory Tillage Orders also carried the threat that land would be confiscated from those who failed to cultivate wheat. Despite the expansion of tillage, the quality of bread deteriorated over time, becoming increasingly dark. In October 1940, wheat extraction was set at seventy-five per cent, gradually increasing to ninety and then ninety-five per cent. By February 1942, milling the entire grain had become mandatory. Meanwhile, short documentaries on low-quality 16 mm film gained popularity. Early in the war, the rural corporatist movement Muintir na Tíre established a mobile film unit to produce educational films, documenting agricultural summer schools, folklore institute activities, and aspects of milk production, pig farming, cattle, and dairy farming. A plentiful supply of black-and-white sub-standard film led to the extensive recording of army life and training during the war. Some of this footage appeared in Irish newsreels, some was used for army education, and other work had contributed to several

---

[268] *'Agriculture 1939-1951 – Irish Legal Blog' (Legalblog.ie)*

[269] *Working Life in Fingal 1936-1959: Recollections from North County Dublin (Fingal Heritage Group 1994)*

government propaganda films, such as the 1940 production 'Step Together.'[270] Output of wheat more than doubled between 1939 and 1944 as a consequence of the Compulsory Tillage Orders.[271]

Commencing a new decade, the lineup of featured guest speakers and the topics discussed at the National Rural Week of 1940, held in Virginia, Co. Cavan (organised by Muintir na Tire and its leader, Canon John Hayes), provides further insights into the key topics related to rural Ireland and its economy at the time. These were:

- 'Muintir na Tire & Labour' - T. Quill (Hon. Sec, Cork Trades Union Council)
- 'Muintir na Tire & the Soul of Ireland' - A. O'Rahilly (University College Cork)
- 'Muintir na Tire & the Farmer' - G.B. Newe (Editor, 'Ulster Farmer')
- 'Muintir na Tire & the Home' - A. Curtayne (Author)
- 'Muintir na Tire & Cleasa Luithe - P. O'Caoimh (Gen. Sec., GAA)
- 'The Place of the Parochial Council in Muintir na Tire,' - The Right Rev. Monsignor Byrne, Dean of Waterford.[272]

---

[270] *Clair Wills, That Neutral Island: A Cultural History of Ireland during the Second World War (Belknap Press, of Harvard University Press 2007)*

[271] *Henry Patterson, Ireland since 1939: The Persistence of Conflict (Penguin 2006)*

[272] *Irish Independent 3/8/1940*

BELLS of KELLS

The Meath Chronicle

AND CAVAN AND WESTMEATH HERALD.

NAVAN, SATURDAY, AUGUST 17, 1940. PRICE: TWOPENCE

MUINTIR NA TIRE'S RURAL WEEK AT VIRGINIA

Practical Address by Bishop of Kilmore

CULTURE COMES FROM THE LAND

THE PARISH COUNCIL QUESTION

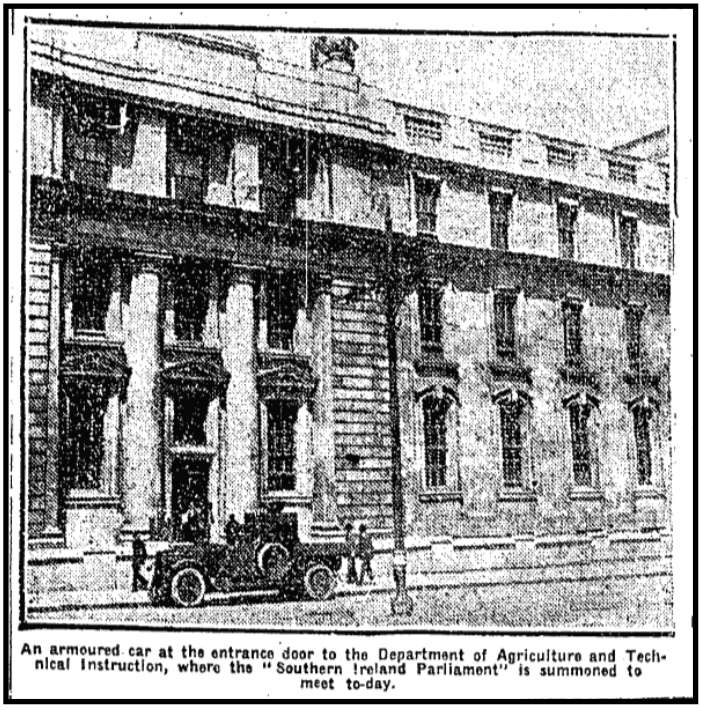
INTRODUCTORY - AND - EXPLANATORY

The Women in the Ideal Ireland

Distinguished Lady Author Breaks Idols

ADDRESS BY ALICE CURTAYNE

The 1940 National Rural Week, as reported upon here, shows how the economic priorities of rural Ireland had developed. It may be worth highlighting that the discussion of 'Women in the Ideal Ireland,' refers to women in the home, which may not gain much of an approving audience in the 21st century.
('Meath Chronicle' 17/8/1940)



An armoured car at the entrance door to the Department of Agriculture and Technical Instruction, where the "Southern Ireland Parliament" is summoned to meet to-day.

The headquarters of the DATI in 1921.
('Irish Independent' 28/6/1921)

LAW & POLICY IN ANIMAL TRADE, HEALTH & WELFARE

In the late 19th and early 20th century, a range of Acts dealing with animal health and welfare, including minimising the spread of diseases in the course of livestock trade, would occur. The first endeavour in such was the passing of the Diseases of Animals Act 1894. As per Jonathan Rushton, writing in '*The Economics of Animal Health and Production*,' the purpose of this first Act was intended to mitigate significant losses resulting from various cattle diseases, including rinderpest, infectious bovine pleuropneumonia, and foot-and-mouth disease (FMD).[273] Legislation tailored for Ireland would follow in 1914, counting amongst the UK Public General Acts. The maximum amount that could be levied under Section 71 of the Diseases of Animals Act, 1894, as amended, was a sum equivalent, when combined with any funds allocated to the Cattle Plague Account before the commencement of the Contagious Diseases (Animals) Act, 1878, and any sums raised under that Act, to a rate of one shilling per pound on the net annual value of property in each and all of the administrative counties of Ireland. Consequently, subsection (5) of Section 71, as amended by any later legislation, was to be interpreted with "one shilling" replacing "eight pence." However, this Act did not alter the existing limit on the total sum that could be levied at any one time, as specified in that subsection. This Act applied exclusively to Ireland, and could be cited as the Diseases of Animals (Ireland) Act, 1914. Additionally, the Diseases of Animals Acts, 1894 to 1911, and this Act could be collectively referred to as the Diseases of Animals (Ireland) Acts, 1894 to 1914.[274]

Following the foundation of the Irish Free State, this was complemented by the Diseases of Animals Act, 1932, which had

---

[273] *Jonathan Rushton, The Economics of Animal Health and Production (CABI 2009)*

[274] *'Diseases of Animals (Ireland) Act 1914' (Legislation.gov.uk)*

been introduced to amend subsection (5) of Section 71 of the Diseases of Animals Act, 1894, specifically regarding financial provisions for animal disease control in Saorstát Éireann (the Irish Free State). One of its main changes was the reduction of the maximum levy that could be imposed under the 1894 Act. Previously, the levy was set at one shilling per pound of the net annual value of properties in all administrative counties. The 1932 Act lowered this limit to sixpence per pound, effectively cutting the maximum levy in half. This adjustment was intended to ease the financial burden on property owners while still maintaining funds for disease control efforts. Additionally, the Act provided for its official short title as the Diseases of Animals Act, 1932, and clarified that it, along with the Diseases of Animals (Ireland) Acts, 1894 to 1914, could be collectively referred to as the Diseases of Animals (Ireland) Acts, 1894 to 1932. Overall, the Act's primary focus was to reduce the financial strain on property owners while maintaining a legal framework for funding animal disease control measures.[275]

Until the turn of the 1960s, a shared foundation for both the Northern Ireland Ministry of Agriculture and the Minister for Agriculture in Éire facilitated the issuance of orders to address epidemics of foot and mouth disease; the common provenance of the agricultural legislation in effect in both regions is evidenced by the reliance on the primary statute, the Diseases of Animals Act, 1894, by both governments.[276]

At a lively House of Lords debate in February 1923, the Marquess of Londonderry raised fears over the classification of Irish-based cattle in relation to the UK government's Importation of Animals Act, 1922.[277] He acknowledged the Act's decision to lift the embargo on Canadian cattle, but highlighted an unjust provision regarding Irish cattle. He explained that Irish cattle, once classified as part of the United Kingdom, now faced a six-day detention on arrival, which was originally a temporary

---

[275] *'Diseases of Animals Act 1932' (Irishstatutebook.ie)*

[276] *Alfred Gaston Donaldson, Some Comparative Aspects of Irish Law (Commonwealth Studies - Duke University Press 1957)*

[277] *'Importation of Animals Act 1922' (vLex1922)*

measure due to foot-and-mouth disease, but had become statutory under the new Act.

He criticised the lack of consultation with Irish Free State authorities when this change was made, despite Canada, a fellow Crown Dominion, being consulted on this topic. Londonderry argued that Ireland's cattle trade was unfairly penalised, as Irish cattle were now treated like imported foreign cattle, while Canadian cattle enjoyed preferential treatment. He emphasised that Ireland's geographical advantages, including its sea frontier, made it distinct from Canada, which faced risks due to its proximity to the United States of America.

Londonderry expressed his reservations for both the Irish Free State and Northern Ireland, stating that Northern Ireland deserved the same treatment as the rest of the United Kingdom, given its similar status in relation to Britain. He proposed two solutions: either to lift the restrictions on Northern Irish cattle, or to remove them for all Irish cattle, restoring the original trade conditions that had benefited the entire region.

He concluded by urging His Majesty's Government to adopt the second course of action, as it would rectify a perceived injustice, and help restore trust between Ireland and Britain.

Lord Strachie assured the Marquess that there was no desire to exclude Irish cattle from Great Britain. He acknowledged that, although the West of England had occasionally faced risks from disease brought over by Irish cattle, they were still welcomed as long as proper precautions were in place. Strachie emphasised that Irish cattle, including stores, could be brought in if adequate safeguards were provided.

He then questioned whether or not all parts of Ireland could currently guarantee the necessary inspections and sanitation. He pointed out that not all areas of Ireland had the firm governing or enforcement power required to ensure these safeguards. Strachie argued that until Ireland's situation became more stable, it would be too risky to allow unrestricted importation of cattle

without the proper guarantees, which he believed could not be provided at that moment.[278]

Meanwhile, in the horse world, the establishment of an army equitation school immediately after the founding of the Free State was a natural progression, given Ireland's ascent as a leading showjumping country, spearheaded by its army squad. Such backing was uncertain due to the precarious condition of the nation's finances and the fast diminishing budget for the Defence Forces.[279] According to the financial firm, Grant Thornton, the first decade of the Free State would see Ireland asserting its prominence in the equestrian domain. Since 1926, the Royal Dublin Society (RDS) has hosted the Aga Khan Nations Cup, which continues to be one of the premier equestrian championships globally. Beginning around 1930, Ireland emerged as a pre-eminent power in global show-jumping.[280] In terms of Irish economic imagery, an undeniable connection exists between horses and currency throughout Irish history. In the pre-euro period, the horse symbolically represented emancipation from British economic hegemony over Ireland. The now defunct Irish twenty pence coin has a horse on the reverse with a harp, a prominent emblem of Ireland, on the obverse. Most recently was in 1986, when the introduction of a new Irish twenty pence coin, distinct in form, size, and metal composition from the British 20p coin, marked the definitive split from British coinage. That specific horse possessed a significant cultural and literary lineage. The coin's design was inspired by the 1928 Irish half-crown, which was part of a new currency system authorised by a committee established by the Free State administration, chaired by W. B. Yeats, the renowned literary figure who was appointed as a Free State senator. Though the euro currency was introduced in Ireland in Spring 2002, in Irish culture and history, the reverberations of equestrian themes from the past persist into the present. Yeats, having been unsuccessful in persuading the general population of his vision of a mystical

---

[278] *'Importation of Irish Cattle - Hansard - UK Parliament' (Parliament.uk1923)*

[279] *Eoin Kinsella, 'The Army Equitation School and the Nations Cup' (Www.dib.ie2024)*

[280] *Sasha Kerins, 'Equine Summit' (2017)*

Ireland, imposed his perspective on society and the globe via the engravings on the Free State coinage.[281]

Nonetheless, the currency changeover from Sterling was merely superficial. The newly established Free State pound of 1928 was specified under the Currency Act of 1927 as containing precisely the identical mass and quality of gold as did the UK sovereign at that period, with the consequence of establishing the new currency pegged at 1:1 with sterling. De facto, instead of de jure, equivalence with sterling was preserved for an additional fifty years. As with sterling, the £sd system was employed, with the Irish names punt (plural: puint), scilling (plural: scillingí) and pingin (plural: pinginí). Unique coins and notes were launched, including the coins from 1928 (in eight denominations: 1/4d, 1/2d, 1d, 3d, 6d, shilling (1/–), florin (2/–), half crown (2/6) and in 1966 a 10/– coin, a celebratory unit that was never intended for circulation), and with all excepting the 3d and 6d enjoying identical measurements to their British equivalents, the Irish coins being thicker nickel coins, when compared to the thin silver ones provided in the UK. Nevertheless, sterling specie always maintained universal acceptance on a one-for-one basis, but Irish coinage was mostly unrecognised in the United Kingdom, with the exception of some regions in Northern Ireland.[282] However, the Irish money system would be dominated by the decisions of the Bank of England until the passing of the Central Bank Act 1942, which came into effect in 1943.[283]

From 1930, several Agricultural Produce (Fresh Meat) Acts were established. The inaugural law was enacted to regulate the export of fresh meat and offal to improve overall standards. To achieve this, provisions were made for the registration and control of premises used for animal slaughter and the preparation and packaging of fresh meat and offal intended for

---

[281] A O'Malley-Younger and John Strachan (eds), Ireland at War and Peace (Cambridge Scholars 2011)

[282] 'Euro Becomes Third Currency in Border Town' (Irish Examiner2002)

[283] N Gibson and J Spencer (eds), Economic Activity in Ireland: A Study of Two Open Economies (Gill & Macmillan 1977)

export. The act also introduced licensing requirements for individuals engaged in exporting fresh meat and offal, as well as the examination and certification of such products before export. Additionally, it established regulations for the proper packaging of dead rabbits and poultry intended for export, along with other related matters.[284]

Export bounties on veal and beef were issued from May 22, 1933, to registered individuals or entities possessing beef exporters' licenses pursuant to the Agricultural Produce (Fresh Meat) Acts of 1930 and 1931.[285]

In 1935, seven prosecutions within the Dublin Corporation region took place for charges related to unfit meat and other food items. Fines totalling £17 were levied in three instances. In one instance, a penalty of £3 was reduced to 5s. upon appeal by the condemned individual to the Minister for Local Government and Public Health. A separate case was rejected in the Court of Appeal after the imposition of a £2 fine in the District Court. The defendant was found guilty of selling unsound fish and was mandated to deposit £2 2s. 0d. into the Court Poor Box. In the remaining instance, the offender received a sentence of six weeks' imprisonment, which was upheld by the Appeal Court Judge. The defendant was convicted for offering for sale in the City area the carcass of a cow severely afflicted with TB. The animal was slaughtered at a facility outside the City, and thereafter transported to a City store by automobile. Four prosecutions were adjudicated for violations of the Slaughterhouse Bye-Laws. In two instances, penalties totalling £3 with £1 Is. Od. in expenses were levied. The last two cases were deferred indefinitely.[286]

---

[284] *'Agricultural Produce (Fresh Meat) Act, 1930' (Irishstatutebook.ie1930)*

[285] *The Board of Trade Journal (Her Majesty's Stationary Office 1933)*

[286] *'Report of the State of Public Health in the City of Dublin for the Year 1935' (Dublin Corporation1936)*

Another milestone was the passing of the Veterinary Surgeons Act 1931.[287] Originally introduced as the Veterinary Surgeons Bill 1930, the final version was a statute to establish regulations for the registration and oversight of veterinary surgeons, as well as other matters pertaining to the practice of veterinary surgery and medicine, and the individuals involved in such practices. Importantly, it established the Veterinary Council of Ireland.[288] This was complemented by the Veterinary Surgeons (Irish Free State Agreement) Act, 1932, which amended the Charters of the Royal College of Veterinary Surgeons, so that qualified veterinarians in the Irish Free State would be recognised under the new system.[289]

However, not everyone was happy with the arrangements for registration and certification of veterinarians. In a debate of the Bill that would eventually become the 1931 Act, Frank Fahy TD (Fianna Fáil) stated that the discussion should move past the details of the Committee stage and focus on matters related to the principle of the Bill. He noted that the Minister had previously outlined the purpose of the Bill, and additional clarification had been provided by the Minister for Agriculture, who explained that one objective was to place veterinary surgeons on a proper footing across the country, both within the Department and beyond. Another key purpose was to ensure that veterinary surgeons trained in the Irish Free State could practise in Great Britain and Northern Ireland, a right they already possessed. Fahy questioned whether the Bill offered any significant benefits, apart from the establishment of a Register.

He further remarked that when Albert College was taken over and dairy science was incorporated into the University, it would have been more appropriate to complete the process by establishing a veterinary faculty within the University as well. He expressed hope that an explanation would be provided as to why

---

[287] *'Veterinary Surgeons Act, 1931' (Irishstatutebook.ie1931)*

[288] *'Veterinary Surgeons Act , 1931' (Oireachtas.ie17 July 1930)*

[289] *'Veterinary Surgeons (Irish Free State Agreement) Act 1932' (vLex1932)*

this had not been done, suggesting that it would have been a logical step.

Fahy criticised the agreement associated with the Bill, asserting that it contained many degrading clauses and placed the Free State in a subordinate position. He suggested that it might be preferable to leave matters as they stood rather than proceed with the Bill. Furthermore, he argued that the Government should prioritise the development of domestic industries to create employment opportunities for young professionals within the country rather than pushing them towards careers abroad. He proposed that, through consultation with the Minister for Education, an agreement might be reached to establish a veterinary faculty within the University. He also noted that the Veterinary College at Ballsbridge was, in effect, a branch of the Veterinary College in London, and suggested that a faculty could be established in Ireland.

According to Deputy Fahy, the Bill contained numerous objectionable features, to the extent that he believed it should not progress. He cited what he deemed to be reliable information, indicating that, a few years earlier, the Royal College of Veterinary Surgeons in London had merely requested an annual subscription of one guinea from veterinary surgeons in Ireland, and many had chosen not to contribute. However, under the new Bill, every veterinary surgeon in the Irish Free State would be required to pay an annual subscription of two guineas to the Council, which would, in turn, remit one guinea per registrant to the General Register in Great Britain. Fahy argued that this arrangement effectively allowed the Royal College in London to achieve its objective through the Minister's agreement.

Additionally, he raised worries about external interference in educational matters. He pointed out that, under the Bill, the British Council would be granted the right to nominate members to oversee examinations held in the Free State, ensuring that standards were maintained (as specified in Section 9, page 24). However, the Bill did not grant the Irish Council any reciprocal

rights regarding examinations in British colleges, a disparity he viewed as problematic.[290]

During the period of the Great Depression, Ireland functioned primarily as an agrarian economy, engaging in trade that was predominantly with the UK. Beef and dairy products constituted the majority of exports, and Ireland performed favourably compared to numerous other goods cultivators, especially during the initial years of the depression, due to the high price elasticities of demand linked to what are referred to as "semi-luxury" grocery items.[291]

However, the trade of livestock would soon be regarded as fair game following the outbreak of the 'Economic War' in 1932. The Minister for Industry & Commerce, Sean Lemass (on board the S.S Laurentic), wrote to Eamon de Valera, acknowledging the news received via wireless regarding the 20% 'ad valorem' duties to be imposed on Free State produce exported to Great Britain, as well as de Valera's announcement that emergency legislation would be introduced in the Dáil. Lemass noted that he had discussed the matter with government ministers Seán T. O'Kelly and Dr. Ryan, and they had agreed that he should write to de Valera to share some of their ideas on the situation. He acknowledged that these ideas might already have been considered by the Executive Council, but he felt it would not hurt to outline them.

Lemass suggested that there would be more benefit in focusing on exports rather than imports. He proposed that the Government should prohibit the export of any goods subject to the British duty except through a government-established organisation. The goal would be to withhold cattle from export unless the British were willing to pay the ruling price plus their own duty. This, he noted, would also apply to live pigs. He argued that halting the export of these goods would cause considerable disruption in Britain and put pressure on the British Government to ease the situation.

---

[290] *'Dáil Éireann Debate - Thursday, 19 Feb 1931' (Oireachtas.ie1931)*

[291] *Mary Daly and Frank Barry, 'Irish Perspectives of the Great Depression' (TCD2011)*

Lemass also mentioned that butter, bacon, and other products could be cold-stored if alternative markets could not be found. To ease the bacon situation, he suggested increasing the duty on Canadian bacon. He acknowledged that these measures would require arrangements to pay producers for their goods, proposing that the State should buy and store or buy and export the produce, using the money withheld from Britain, which would necessitate an Act of the Oireachtas. Alternatively, he suggested a system of temporary credit for farmers might be needed.[292]

In 1925, Northern Ireland was permitted to maintain its annuities, and de Valera believed that the Irish Free State ought to receive equivalent treatment. Furthermore, de Valera declined to persist in disbursing pensions to veterans of the Royal Irish Constabulary (RIC) and former British civil servants. In response to de Valera's breach of prior financial agreements, London initiated measures to reclaim the lost funds by instituting a 20% import duty on every item originating from the Free State. Subsequently, it established quotas for livestock. The Free State responded by instituting import tariffs on various products from Britain and Northern Ireland, encompassing coal, cement, electrical equipment, machinery, iron, and steel. In January 1933, De Valera convened a snap election to demonstrate to the Westminster government that the populace of the Free State endorsed his actions. With a decisive majority secured, he initiated a campaign of persuasion designed to bolster public backing for the measures he was implementing, for the purpose of enhancing the autonomy of the Free State.[293]

We should remember that Éamon de Valera envisioned Ireland as mostly agricultural and self-sufficient; a rural society that revered all aspects of rural life; governed by the Catholic Church without separation from the State; predominantly Irish-speaking; and unified as a singular 32-county country. All of his economic

---

[292] *'Documents on Irish Foreign Policy - Volume 4' (Documents on Irish Foreign Policy12 February 2020)*

[293] *BBC Bitesize, 'The Economic War, 1932-1938' (BBC Bitesize 6 February 2024)*

measures were directed towards this objective. This would perhaps be best exemplified in his famous '*The Undeserted Village Ireland*' radio speech from 1943 (also known as '*The Ireland that We Dreamed Of*'). The envisaged Ireland would be a homeland for a populace that esteemed material wealth solely as a foundation for virtuous living, a community content with modest comfort, dedicating their leisure to spiritual pursuits, a territory adorned with "cosy homesteads," and whose fields and villages would resonate with an atmosphere of industriousness.[294]

The 1930s were a period of political upheaval and economic crises, and transformation in Ireland. Economic activity reached its zenith in 1929, and the latter years of the Cumann na nGaedheal administration (which had governed from the inception of the Irish Free State in 1922) saw significant declines in production, commercial activity, and employment. The measures implemented after Fianna Fáil's electoral triumph in February 1932 were shaped by both pressing economic demands and the party's ideological principles. The stringent protectionist policies implemented by de Valera and Lemass, pivotal figures of the new regime, aimed to rapidly generate employment, while progressively establishing a substantial domestic manufacturing sector, focused mainly on the domestic market.[295]

Following the introduction of the UK Government's Irish Free State (Special Duties) Act, 1932, Leslie Hore-Belisha, Financial Secretary to the Treasury, moved in December 1933 that the Irish Free State (Special Duties) (No. 3) Order, 1933, dated 10th November 1933, made by the Treasury under the aforementioned Irish Free State (Special Duties) Act, 1932, be approved. He explained that previous Orders made under the Act had substituted specific duties for 'ad valorem' duties on live animals for food imported from the Irish Free State. The purpose was to relieve Customs authorities from the need to examine the price of every transaction and to prevent importers from having to make deposits while investigations were ongoing. Hore-Belisha

---

[294] *'The Undeserted Village Ireland Irish Drama in Theory and Practice' (Evergreen.edu2016)*

[295] *J Peter Neary and Cormac Ó Gráda, 'Protection, Economic War and Structural Change: The 1930s in Ireland' (1991) 27 Irish Historical Studies 250.*

noted that the Government's intention was to set the specific duty at roughly 40 per cent. However, he pointed out that since the imposition of the specific duties, the prices of sheep and lambs imported from the Irish Free State had fallen. He therefore requested the House to reduce the specific duties from 12s. to 10s. per head on live sheep and lambs. At the same time, he asked the House to consent to another adjustment.[296]

The Slaughter of Cattle and Sheep Act 1934 provided for the regulation and control of cattle and sheep slaughtered for human consumption in Saorstát Éireann. It also addressed various related matters intended to ensure the effectiveness of these regulations, including restrictions on the export and use of slaughtered animals. Additionally, the Act governed the distribution of meat from these animals to specific groups of people and included further provisions related to these objectives.[297] The Slaughter of Cattle and Sheep Act 1934 mandated the licensing of facilities employed for the slaughter of cattle and sheep intended for eating by people.[298]

As per a contemporary edition of '*The Veterinary Record*,' magazine, the Minister for Agriculture had issued a Commencement Order under the Free State Slaughter of Cattle and Sheep Act, 1934, which took effect on October 31st of that year. This order implemented provisions of the Act concerning aforementioned the registration of premises, as well as the payment of levies on cattle and sheep, the enforcement of minimum prices, the production of cattle and sheep products, and the distribution of beef. As a result, it became illegal for anyone to slaughter cattle or sheep for sale for domestic consumption or to sell beef, veal, mutton, or lamb in unregistered premises.[299]

---

[296] *'Irish Free State (Special Duties) Act, 1932' (Hansard1933)*

[297] *'Slaughter of Cattle and Sheep Act 1934' (Irishstatutebook.ie1934)*

[298] *European Product Liability (Butterworths 1992)*

[299] *'The Veterinary Record 1934-11-03: Vol 46 Iss 44' (BMJ Publishing Group3 November 1934)*

Due to restrictions on Irish cattle exports to Great Britain, and the subsequent decline in beef prices within the Free State, De Valera implemented a scheme to distribute surplus beef to the unemployed. By the end of 1934, unemployment had reached a record high of 120,000. The Slaughter of Cattle and Sheep Act allocated £400,000 for the provision of free meat to the unemployed, £150,000 for purchasing approximately 50,000 old cows, and £130,000 for the establishment of a factory to produce canned meat. From November 1st, the price of cattle was set at 25 shillings per hundredweight. According to '*Round Table*,' the administration of this measure was expected to cost at least £60,000 annually, result in the slaughter of around 250,000 cattle per year, and lead to an increase of at least two pence per pound in meat prices for the general public. The Labour Party had initially proposed this initiative.[300]

The Slaughter of Cattle and Sheep Act 1934 became a further source of dispute between the already clashing ministries of Finance and Agriculture respectively. Finance saw a demand for such legislation was untested, and there was no clear evidence that the scheme would achieve its goal of securing a stable market for producers. An internal Finance memorandum noted that "exports are as large as possible under present circumstances," and that "a glut of cattle will always depress prices; government interference will not help to raise them so long as the glut continues." The scheme, it pointed out, was designed to benefit producers, with no mention of the consumer.

Although the Department of Finance raised hesitations with the Department of Agriculture, they did not outright oppose the measure. A Finance minute acknowledged that "the legislation contemplated bristles with difficulties and administrative problems," the most pressing of which would be finding trained staff to implement it. However, despite being "full of foreboding as to how it will work out in practice," the writer conceded that the department had little choice but to give it "our reluctant blessing." This statement reflected a pragmatic, albeit somewhat grudging, acceptance of the realities of the 1930s. Finance officials were quick to recognise that the unusual combination of

---

[300] *Tom Ireland, Ireland, Past and Present (Putnam 1942)*

economic crisis and political change sometimes forced them to endorse policies that, while nearly inevitable, remained difficult to digest. In such circumstances, expressions of worry and reluctant approvals became a common feature of decision-making.[301]

According to Mary Daly's book, '*Industrial Development and Irish National Identity, 1922-1939*,' published by Syracuse University Press, the 1938 Trade Agreement marked the conclusion of the economic war with Great Britain, and also the end of Ireland's attempt to achieve self-sufficiency. The dispute over financial payments was part of a broader constitutional struggle, driven more by De Valera's determination to dismantle the 1921 Treaty, rather than by a refusal to honour debts. Both countries prioritised political objectives over their economic interests, with constitutional concerns overshadowing trade negotiations.

The economic war primarily affected agriculture, but Irish industry also struggled, due to tariffs on essential imports. While De Valera has often been associated with a policy of economic nationalism, the book argues that his persistence in the dispute, despite opposition from key ministers, challenges this interpretation. Agricultural self-sufficiency was further undermined by the necessity of export subsidies to counter British duties. By 1936, Irish agricultural prices had fallen sharply, though Britain's shift toward agricultural protectionism would have restricted Irish farmers from benefiting from British price levels even in the absence of the dispute. The volume of British agricultural imports declined throughout the 1930s, particularly in live cattle—Ireland's primary export—causing a drop in Ireland's share of British markets. Bilateral trade agreements with countries such as Germany proved largely ineffective, though they prompted Britain to negotiate the first coal-cattle pact.

As per Paul Canning's '*British Policy Towards Ireland*,' on 17 February 1936, it was announced that the Coal-Cattle Pact would be extended for another year. The existing arrangement,

---

[301] *Ronan Fanning, The Irish Department of Finance, 1922-58 (Institute of Public Administration 1978)*

which facilitated the exchange of coal and cattle on a pound-for-pound basis, would continue, along with a mutual reduction of duties on certain specified goods. As with previous agreements, this development was widely praised by the British press as a positive step toward resolving the Anglo-Irish dispute. However, some criticism came from sections of the UK Liberal and UK Labour press, which argued that the agreement did not go far enough.[302]

The Daly book notes that while Irish protectionism did not initiate the conflict, Great Britain had come to view modifications to Irish tariffs and quotas as a necessary component of any settlement. British economic difficulties, particularly in the coal industry, and the impact of Irish industrialisation encouraged a more conciliatory approach. A 1936 report by senior Irish officials reflected a shift in thinking, suggesting that ending the dispute would raise farm incomes, increase employment, and restore investor confidence. However, divisions within the Irish government remained, with Finance Minister MacEntee later seeking De Valera's guidance on whether to pursue major trade concessions or minor adjustments.

Negotiations focused on trade details, with the most contentious issue being Britain's request for special treatment for imports from Northern Ireland. De Valera resisted these concessions, arguing that they would expose Irish industries to excessive competition. Lemass warned that such measures could lead to factory closures, the collapse of self-sufficiency, and the repeal of protections for domestic industries. Despite initial reluctance, Ireland gradually moved toward offering more significant concessions.

The '*Industrial Development and Irish National Identity*' text also details how the Anglo-Irish Trade Agreement, signed on 25 April 1938, was one of three agreements concluded that day. One secured the withdrawal of British naval bases from Ireland, while a financial agreement resolved the annuities dispute with a £10

---

[302] *Paul Canning, British Policy towards Ireland, 1921-1941 (Oxford University Press 1985)*

million lump-sum payment and removed emergency tariffs imposed by both governments. The trade agreement, initially set for three years but renewable, granted duty-free access to Britain for Irish goods, with certain restrictions on poultry and dairy products. Unlike other Commonwealth nations, Ireland's preferential status was not permanent, and was contingent on maintaining duty-free access. Britain, concerned about competition, sought to regulate Irish poultry imports, though it ultimately agreed only to intervene if "orderly marketing" failed.

In return, Ireland granted Britain preferential tariff terms, particularly on coal, motor parts, and cars. Additionally, Ireland imposed taxes on silk imports from other countries while allowing British silk to enter the ports, on a duty-free basis. The agreement also included minor concessions on the package tax and minimum customs duties. Most provisions were accepted without significant opposition, though Sean Lemass expressed dissatisfaction with the motor parts clause, remarking in the Dáil that it would be welcomed by everyone except him.[303]

[303] *Mary E Daly, Industrial Development and Irish National Identity, 1922-1939 (Syracuse University Press 1992)*

CONCLUSION

The transformation of rural Ireland between 1860 and 1940 was nothing short of revolutionary, redefining the socio-economic and political landscape in ways that continue to reverberate today. The gradual dissolution of the landlord system and the widespread transfer of land into the hands of smallholders signified the triumph of tenant rights and national self-determination. The culmination of these legal reforms, coupled with sustained political agitation and economic adaptation, heralded a new era of rural resilience.

Yet, this period was not simply one of land redistribution; it was an era of reinvention. The infusion of scientific farming practices, the rise of co-operative enterprise, and the expansion of rural infrastructure modernised Irish agriculture, enabling it to move beyond subsistence farming into the realm of commercial viability. The cooperative movement fostered a sense of collective economic empowerment, ensuring that even small farmers had a voice in shaping their own financial destinies.

However, despite these advancements, economic hardship and emigration remained persistent challenges. The upheavals of the early 20th century, including war and political reorganisation, often tested the durability of these reforms. Nonetheless, the fundamental shift in land ownership and rural governance in society provided a stable foundation for the Irish agricultural economy in the decades that followed.

Ultimately, the period from 1860 to 1940 reshaped not only the land itself but also the people who lived upon it. It fostered a longstanding, deeply ingrained sense of ownership, community solidarity (yet, also hostility), and national identity that endures in modern Ireland. The legacy of this transformative era can be seen in contemporary policies on land use, agricultural development, and rural governance, a testament to the enduring impact of the legal and economic revolutions that defined this period.

Although Irish society has changed significantly since the period of 1860-1940, many of the core debates that shaped that era, particularly around housing, security of tenure, economic development, and scientific and commercial progress, remain highly relevant today. While the historical context has shifted, modern Ireland continues to grapple with issues that echo past struggles, reflecting both the lasting impact of historical land reforms and the new challenges of a rapidly changing world.

One of the most persistent issues is housing. During the late 19th and early 20th centuries, the Irish government introduced Labourers Acts to improve rural housing for agricultural workers, just as land reforms sought to ensure tenant farmers could own the land they worked. Today, Ireland faces a different but equally pressing housing crisis, particularly in urban areas, where skyrocketing property prices and a shortage of affordable homes have made secure accommodation an unattainable goal for many. Government initiatives, such as social housing schemes and rent controls, reflect ongoing efforts to balance property rights with the need for fair access to housing, much like past legislative interventions in land tenure.

Security of tenure remains a key worry. While the Land Acts of the late 19th and early 20th centuries granted Irish farmers stability and ownership rights, today's focus has shifted to renters, who often face precarious living conditions due to short-term leases, rising rents, and evictions. The debate over tenant rights, particularly in the private rental sector, mirrors historical disputes over land security, showing that while the form of the problem has changed, the underlying need for protection against displacement persists.

Scientific and commercial advancement has transformed Ireland's economy, but it has also highlighted disparities between urban and rural areas. During the late 19th and early 20th centuries, Ireland's rural economy was primarily agricultural, with limited access to major technological advancements or modern infrastructure. Today, although agriculture remains important, Ireland has emerged as a global hub for electronics, pharmaceuticals, and finance. However, rural communities often feel left behind, as job opportunities and investment tend to be

concentrated in cities. The challenge now is to balance economic growth with regional development, ensuring that rural areas have access to modern technology, broadband infrastructure, and investment in industries beyond agriculture.

Rural development continues to be a major policy worry, much as it was in the early 20th century when the Irish Free State sought to modernise the countryside through infrastructure projects. While land ownership is no longer a pressing issue, rural depopulation remains a challenge, as younger generations migrate to urban areas or abroad in search of better opportunities. The decline of traditional farming, as well as the shift toward a new model of agribusiness and sustainability-focused policies raise questions about the future of rural livelihoods. The push for the implementation of renewable energy projects, reforestation, and environmental conservation adds another layer to this debate, as rural communities balance competing economic interests with environmental responsibility.

Concluding, while the specific challenges of Irish society have changed drastically over time, the broader themes remain remarkably consistent. The need for secure housing, fair economic opportunities, technological advancement, and rural sustainability continues to shape policy discussions today, demonstrating the enduring relevance of historical struggles in modern Ireland.

Coal - Cattle
Pact
Changes Urged

Wheat Price Proposal

The Coal-Cattle pact between the Irish Free State and Great Britain served as a key moment in the shift in relations regarding rural trade.
(Source: 'The Liberator' 8/12/1936)

POETRY - '*THE STARRY COW*'

By Tadgh Quill-Manley. As originally featured in 'Dynamic Zero' (USA), April 2025

One More Cow, One More Sow
Another acre cultivated
By a shining plough
The farmer's son takes off his hat
Wiping the sweat from his brow

Their productive loans are being called in
Lives changed at the financier's whim
To survive, they'll work for life and limb
Yet their malnourished bones are wearing thin

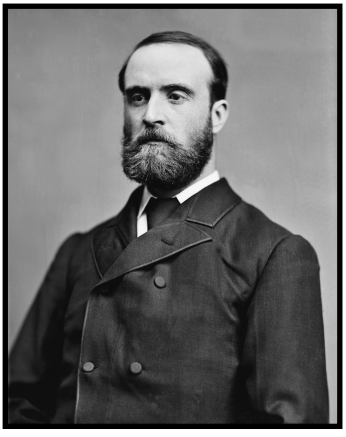
The processor purchases milk below cost
And no buyers for our fields of maize
It looks like all hope is now lost
It seems, rarely these days
That honest work ever pays

One More Cow, One More Sow
We are coming closer, acre by acre
Until we use our Starry Plough
Let's grow a harvest from the soil
And struggle living from our toil

PHOTOS OF KEY FIGURES

D.D Sheehan

James Ryan

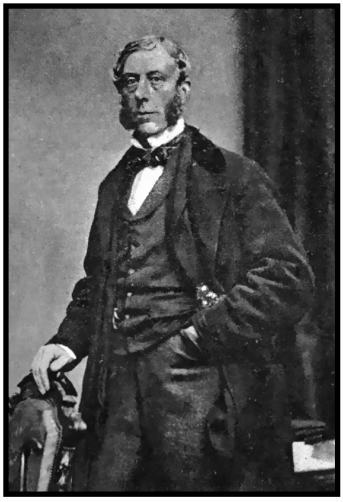


Charles Stewart Parnell

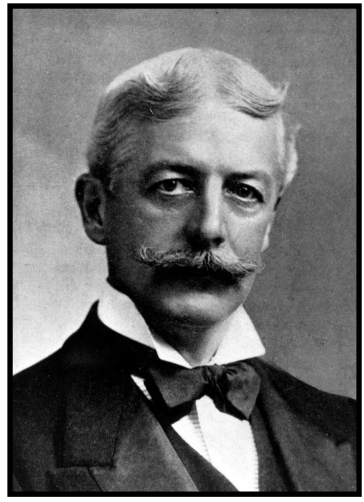
William O'Brien

Martin Roddy

Augustine Birrell



Frederick Ponsonby



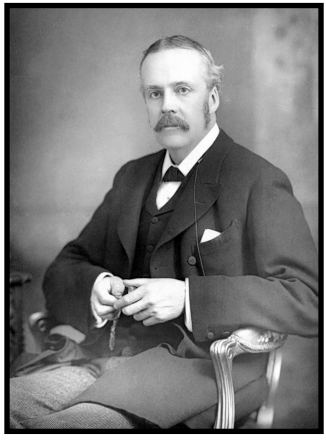
George Wyndham

Canon John Hayes on a stamp

Muintir na Tire labelling

Patrick J. Hogan

Gerald Boland



Arthur Balfour

Frank Aiken

Horace Plunkett

BIBLIOGRAPHY

- '100 Years of Irish Housing' (*Jesuit Centre for Faith and Justice in Ireland*20 January 2022) <https://www.jcfj.ie/article/100-years-of-irish-housing/> accessed 14 February 2025
- Aalen, F. H. A, 'Homes for Irish Heroes: Housing under the Irish Land (Provision for Soldiers and Sailors) Act 1919, and the Irish Sailors' and Soldiers' Land Trust' (1988) 59 The Town Planning Review 305 <https://www.jstor.org/stable/40111696> accessed 8 February 2025
- Aalen FHA, 'The Rehousing of Rural Labourers in Ireland under the Labourers (Ireland) Acts, 1883–1919' (1986) 12 Journal of Historical Geography 287
- 'Agricultural Agencies – Irish Legal Blog' (*Legalblog.ie*) <https://legalblog.ie/agricultural-agencies/> accessed 17 February 2025
- 'Agricultural Credit Act 1928' (*Oireachtas.ie*1928) <https://data.oireachtas.ie/ie/oireachtas/bill/1928/33/eng/ver_b/bills1927-28dd-03.pdf> accessed 28 February 2025
- 'Agricultural Produce (Cereals) Act 1936' (*Oireachtas.ie*1936) <https://data.oireachtas.ie/ie/oireachtas/bill/1936/21/eng/ver_c/bills1935-36kk-04.pdf> accessed 28 February 2025
- 'Agricultural Produce (Fresh Meat) Act, 1930' (*Irishstatutebook.ie*1930) <https://www.irishstatutebook.ie/eli/1930/act/10/enacted/en/print.html> accessed 18 February 2025
- 'Agricultural Wages Act, 1936' (*Irishstatutebook.ie*1936) <https://www.irishstatutebook.ie/eli/1936/act/53/enacted/en/html> accessed 14 February 2025
- 'Agriculture 1939-1951 – Irish Legal Blog' (*Legalblog.ie*) <https://legalblog.ie/post-war-agriculture/> accessed 6 March 2025
- 'Agriculture Act 1931' (*Irishstatutebook.ie*1931) <https://www.irishstatutebook.ie/eli/1931/act/8/enacted/en/html> accessed 25 February 2025

- 'Agriculture and Technical Instruction (Ireland) Act 1899' (*Vlex.co.uk*1899) <https://vlex.co.uk/vid/agriculture-and-technical-instruction-808140801> accessed 25 February 2025
- 'Agriculture in the 1930s – Irish Legal Blog' (*Legalblog.ie*2015) <https://legalblog.ie/agriculture-1930s/> accessed 14 February 2025
- Allen N, 'George William "AE" Russell' DIB.ie (2009) <https://www.dib.ie/biography/russell-george-william-ae-a7836> accessed 11 June 2025
- Anderson S, 'Changing the Nature of Real Property Law', *The Oxford History of the Laws of England* (Oxford University Press 2010) <https://academic.oup.com/book/8078/chapter-abstract/153493729?redirectedFrom=fulltext> accessed 25 February 2025
- Bailey W, *The Irish Land Acts* (HM Stationery Office 1917)
- Barry F, 'Agri-Business Firms and Irish Agriculture in the Decades to Independence' (TCD 2022) <https://www.tcd.ie/triss/assets/PDFs/wps/Agri-business%20firms%20TRISS.pdf> accessed 25 February 2025
- Bastable CF, 'The Irish Land Purchase Act of 1903' (1903) 18 The Quarterly Journal of Economics 1
- BBC Bitesize, 'The Economic War, 1932-1938' (*BBC Bitesize*6 February 2024) <https://www.bbc.co.uk/bitesize/articles/zwnbwsg#zb9v8p3> accessed 17 February 2025
- Beckett JC, The Making of Modern Ireland (Faber & Faber 1981)
- Bell J, *Farming in Ulster: Historic Photographs of Ulster Farming and Food* (Friars Bush Press 1988) <https://archive.org/details/farminginulsterh0000bell/page/6/mode/2up?q=Ireland+1939+compulsory+tillage> accessed 6 March 2025
- Bernard W, *The Irish Church Acts, 1869 & 1972* (Hodges, Foster & Co 1876) <https://archive.org/details/cu31924017829403/page/n35/mode/2up?q=%22Landed+Property+%28Ireland%29+Improvement+Act%2C+1860%22> accessed 8 February 2025

- Bew P, *Land and the National Question in Ireland, 1858-82* (Humanities Press 1979) <https://archive.org/details/landnationalques0000bewp/page/4/mode/2up?q=%22Deasy%27s+Act%22> accessed 5 February 2025
- Biletz F, *Historical Dictionary of Ireland* (Scarecrow Press 2014) <https://archive.org/details/historicaldictio0000bile/page/12/mode/2up?q=%22Wyndham+Land+Act%22+1903> accessed 5 February 2025
- Binchy W and Byrne R (eds), 'Annual Review of Irish Law, 1995' (*Roundhall Sweet & Maxwell*1997) <https://archive.org/details/annualreviewofir0000unse/page/16/mode/2up?q=%22Pigs+and+Bacon+Act+1935%22> accessed 24 February 2025
- Birnie A, *An Economic History of the British Isles* (Methuen and Co Ltd 1935) <https://archive.org/details/dli.ernet.12501/page/265/mode/2up?q=%22Ireland%22> accessed 3 March 2025
- Bolger P, The Irish Co-Operative Movement: Its History & Development (Institute of Public Administration 1977)
- Brandenburg SJ, 'Progress of Land Transfers in the Irish Free State' (1932) 8 The Journal of Land & Public Utility Economics 275
- Bridge J, *Fundamental Rights; a Volume of Essays to Commemorate the 50th Anniversary of the Founding of the Law School in Exeter, 1923-1973* (University of Exeter 1973) <https://archive.org/details/fundamentalright0000unse_m4q5/page/82/mode/2up?q=%22Labourers+Act+1936%22&view=theater> accessed 24 February 2025
- Buckley L, 'Perpetuities Reform in Ireland' (2002) 37 Irish Jurist 143
- Bull P, *Land, Politics and Nationalism* (St Martin's Press 1996) <https://archive.org/details/landpoliticsnati00bull/page/156/mode/2up?q=%22Wyndham+Land+Act%22+1903> accessed 5 February 2025
- Byrne R and McCutcheon P, *Byrne & McCutcheon on the Irish Legal System* (C Bruton and G Coffey eds, 6th edn., Bloomsbury Professional 2014) <https://archive.org/details/irishlegalsystem0000byrn_q0w5/page/694/mode/2up?

q=%22Labourers+Act+1936%22> accessed 24 February 2025

- Campbell F, 'Irish Popular Politics and the Making of the Wyndham Land Act, 1901-1903' (2002) 45 The Historical Journal 755
- Canning P, *British Policy towards Ireland, 1921-1941* (Oxford University Press 1985) <https://archive.org/details/britishpolicytow00cann/page/164/mode/2up?q=cattle> accessed 10 March 2025
- Carroll B, 'Ireland', International Handbook of Co-operative Law (Springer Nature 2013)
- Cherry R, *The Irish Land Law and Land Purchase Acts, 1860-1901* (J Wakely and TH Maxwell eds, 3rd edn., Falconer 1903)
- Coleman M, 'P.J Ruttledge' (*Www.dib.ie*2009) <https://www.dib.ie/biography/ruttledge-patrick-joseph-paddy-p-j-a7854> accessed 26 February 2025
- Collins M, *Ireland Three* (Educational Company of Ireland 1972) <https://archive.org/details/irelandthree0000unse/page/132/mode/2up?q=%22Wyndham+Land+Act%22+1903> accessed 5 February 2025
- 'Committee Reports:Final Report - Betting Act 1926, and the Law Relating to the Business of Bookmaking::09 May, 1929::Report' (*Oireachtas.ie*1929) <http://archive.oireachtas.ie/1929/REPORT_09051929_0.html> accessed 25 February 2025
- Connolly J, '*The Land Acts and Socialism | Workers' Liberty*' (www.workersliberty.org2013) <https://www.workersliberty.org/story/2023-05-09/land-acts-and-socialism>
- Connolly R, 'How Access to Concealed Land Commission Files Offers Historical Insight into Land Disputes' (*Irish Independent*8 August 2023) <https://www.independent.ie/farming/rural-life/how-access-to-concealed-land-commission-files-offers-historical-insight-into-land-disputes/a20200045.html> accessed 14 March 2025

- 'Constitution of Ireland' (*European Union Agency for Fundamental Rights*25 October 2018) <https://fra.europa.eu/en/law-reference/constitution-ireland-12> accessed 24 February 2025
- Coquelin O, '*A Reactionary Dimension in Progressive Revolutionary Theories? The Case of James Connolly's Socialism Founded on the ReConversion of Ireland to the Celtic System of Common Ownership*' (2008) 28 Proceedings of the Harvard Celtic Colloquium 14 <https://www.jstor.org/stable/41219613>
- Corcoran D, 'Public Policy in an Emerging State: The Irish Free State 1922-25' (2009) 1 UCC 66 <https://journals.ucc.ie/index.php/ijpp/article/view/ijpp-1-1-5/html-en> accessed 17 February 2025
- ——, *Freedom to Achieve Freedom: The Irish Free State 1922-1932* (Gill & Macmillan 2013) <https://archive.org/details/freedomtoachieve0000corc/page/162/mode/2up?q=%22Creamery+Act+1928%22> accessed 17 February 2025
- Cormack CM, 'Free State Farmer: A Sense of Irish Farming in 1932' (*Agriland.ie*2 January 2020) <https://www.agriland.ie/farming-news/free-state-farmer-a-sense-of-irish-farming-in-1932/> accessed 17 February 2025
- Cosgrove P, 'The Wyndham Land Act 1903 - the Final Solution to the Irish Land Question?' (NUI Maynooth 2008) <https://mural.maynoothuniversity.ie/id/eprint/5071/1/Patrick_John_Cosgrove_20140620133621.pdf> accessed 6 February 2025
- 'Cost of Living in Ireland in October 1922 Nearly 90% Higher than in 1914 | Century Ireland' (*Www.rte.ie*2023) <https://www.rte.ie/centuryireland/articles/cost-of-living-in-ireland-in-october-1922-nearly-90-higher-than-in-1914> accessed 17 February 2025
- Crampsie A, 'A Forgotten Tier of Local Government – the Impact of Rural District Councils on the Landscape of Early Twentieth Century Ireland' (*Irish Geography*2014) <https://irishgeography.ie/index.php/irishgeography/article/download/504/430> accessed 6 February 2025

- 'Creamery Act 1928' (*Irishstatutebook.ie*1928) <https://www.irishstatutebook.ie/eli/1928/act/26/enacted/en/html> accessed 17 February 2025
- 'Cup Pays Tribute to "Packie" Joseph Manley' (*Muskerry -North City News*2024) <http://muskerrynews.biz/wp/?p=10001> accessed 9 March 2025
- Curtin D and O'Keeffe D (eds), *Constitutional Adjudication in European Community and National Law: Essays for the Hon. Mr. Justice T.F. O'Higgins* (Butterworths 1992) <https://archive.org/details/constitutionalad0000unse_m8l0/page/176/mode/2up?q=%22Pigs+and+Bacon+Act+1935%22> accessed 24 February 2025
- Curtis L, 'The Agricultural Labourer and the State in Rural Ireland, 1922-1976' (NUI Maynooth 2007) <https://mural.maynoothuniversity.ie/id/eprint/5059/1/Catriona_Lisa_Curtis_20140620143622.pdf> accessed 25 February 2025
- Dáil Éireann, 'Land Bond Act, 1925' (*Oireachtas.ie*1925) <https://www.oireachtas.ie/en/bills/bill/1925/12/> accessed 13 February 2025
- ——, 'Agricultural Credit Act 1927' (*Oireachtas.ie*7 April 1927) <https://www.oireachtas.ie/en/bills/bill/1927/15/> accessed 13 February 2025
- ——, 'Land Act, 1929' (*Oireachtas.ie*1929) <https://www.oireachtas.ie/en/bills/bill/1929/25/> accessed 11 February 2025
- ——, 'Agricultural Co-Operative Societies (Debentures) Act , 1934' (*Oireachtas.ie*1934) <https://www.oireachtas.ie/en/bills/bill/1934/38/> accessed 12 February 2025
- 'Dáil Éireann Debate - Friday, 9 Mar 1934' (*Oireachtas.ie*1934) <https://www.oireachtas.ie/en/debates/debate/dail/1934-03-09/4/> accessed 13 February 2025
- 'Dáil Éireann Debate - Friday, 13 Jun 1930' (*Oireachtas.ie*1930) <https://www.oireachtas.ie/en/debates/debate/dail/1930-06-13/9/> accessed 24 February 2025
- 'Dáil Éireann Debate - Friday, 15 Mar 1935' (*Oireachtas.ie*1935) <https://www.oireachtas.ie/en/debates/debate/dail/1935-03-15/4/> accessed 17 February 2025

- 'Dáil Éireann Debate - Friday, 17 Dec 1937' (*Oireachtas.ie*1937) <https://www.oireachtas.ie/en/debates/debate/dail/1937-12-17/12/> accessed 24 February 2025
- 'Dáil Éireann Debate - Friday, 24 Apr 1931' (*Oireachtas.ie*1931) <https://www.oireachtas.ie/en/debates/debate/dail/1931-04-24/9/> accessed 11 February 2025
- 'Dáil Éireann Debate - Monday, 28 May 1923' (*Oireachtas.ie*) <https://www.oireachtas.ie/en/debates/debate/dail/1923-05-28/12/> accessed 10 February 2025
- 'Dáil Éireann Debate - Thursday, 4 Jul 1929' (*Oireachtas.ie*1929) <https://www.oireachtas.ie/en/debates/debate/dail/1929-07-04/9/?highlight%5B0%5D=land&highlight%5B1%5D=bill&highlight%5B2%5D=1929> accessed 12 February 2025
- 'Dáil Éireann Debate - Thursday, 19 Feb 1931' (*Oireachtas.ie*1931) <https://www.oireachtas.ie/en/debates/debate/dail/1931-02-19/17/> accessed 26 February 2025
- 'Dáil Éireann Debate - Thursday, 19 Jul 1962' (*Oireachtas.ie*1962) <https://www.oireachtas.ie/en/debates/debate/dail/1962-07-19/73/> accessed 24 February 2025
- 'Dáil Éireann Debate - Thursday, 30 Jun 1927' (*Oireachtas.ie*1927) <https://www.oireachtas.ie/en/debates/debate/dail/1927-06-30/11/#spk_67> accessed 12 February 2025
- 'Dáil Éireann Debate - Tuesday, 6 Jun 1939' (*Oireachtas.ie*1939) <https://www.oireachtas.ie/en/debates/debate/dail/1939-06-06/10/> accessed 12 March 2025
- 'Dáil Éireann Debate - Tuesday, 20 Jul 1926' (*Oireachtas.ie*1926) <https://www.oireachtas.ie/en/debates/debate/dail/1926-07-20/38/> accessed 13 March 2025
- 'Dáil Éireann Debate - Tuesday, 26 Apr 1927' (*Oireachtas.ie*1927) <https://www.oireachtas.ie/en/debates/debate/dail/1927-04-26/5/> accessed 13 February 2025

- 'Dáil Éireann Debate - Wednesday, 8 Aug 1923' (*Oireachtas.ie*) <https://www.oireachtas.ie/en/debates/debate/dail/1923-08-08/4/> accessed 10 February 2025
- 'Dáil Éireann Debate - Wednesday, 12 Sep 1934' (*Oireachtas.ie*1934) <https://www.oireachtas.ie/en/debates/debate/dail/1934-09-12/4/> accessed 12 February 2025
- 'Dáil Éireann Debate - Wednesday, 16 Nov 1938' (*Oireachtas.ie*1938) <https://www.oireachtas.ie/en/debates/debate/dail/1938-11-16/44/> accessed 1 March 2025
- 'Dáil Éireann Debate - Wednesday, 18 Feb 1931' (*Oireachtas.ie*1931) <https://www.oireachtas.ie/en/debates/debate/dail/1931-02-18/42/> accessed 25 February 2025
- 'Dáil Éireann Debate - Wednesday, 18 Jul 1934' (*Oireachtas.ie*1934) <https://www.oireachtas.ie/en/debates/debate/dail/1934-07-18/31/> accessed 12 February 2025
- 'Dáil Éireann Debate - Wednesday, 26 Nov 1930' (*Oireachtas.ie*1930) <https://www.oireachtas.ie/en/debates/debate/dail/1930-11-26/42/> accessed 11 February 2025
- 'Dáil Éireann Debate - Wednesday, 28 Jun 1933' (*Oireachtas.ie*1933) <https://www.oireachtas.ie/en/debates/debate/dail/1933-06-28/10/> accessed 11 February 2025
- 'Dairy Produce (Price Stabilisation) (Amendment) Act, 1938' (*Irishstatutebook.ie*1938) <https://www.irishstatutebook.ie/eli/1938/act/30/enacted/en/html> accessed 1 March 2025
- 'Dairy Produce Act 1924' (*Irishstatutebook.ie*1924) <https://www.irishstatutebook.ie/eli/1924/act/58/enacted/en/print.html> accessed 17 February 2025
- Daly M, *The First Department: A History of the Department of Agriculture* (Institute of Public Administration 2002) <https://archive.org/details/firstdepartmenth0000daly/page/128/mode/2up?q=%22dairy+council%22> accessed 17 February 2025

- Daly M and Barry F, 'Irish Perspectives of the Great Depression' (*TCD*2011) <https://www.tcd.ie/triss/assets/PDFs/iiis/iiisdp349.pdf> accessed 17 February 2025
- Daly ME, *Industrial Development and Irish National Identity, 1922-1939* (Syracuse University Press 1992) <https://www.jstor.org/stable/j.ctv64h6t9> accessed 25 February 2025
- Daly P, O'Brien R and Rouse P (eds), *Making the Difference? The Irish Labour Party, 1912-2012* (Collins Press 2012) <https://archive.org/details/makingdifference0000unse_z1m6/page/14/mode/2up?q=%22Labourers+%28Ireland%29+Act+1906%22> accessed 6 February 2025
- Davitt M, *The Fall of Feudalism in Ireland* (Harper & Brothers Publishers 1904) <https://dn790001.ca.archive.org/0/items/falloffeudalismi00davi/falloffeudalismi00davi.pdf> accessed 27 February 2025
- De Bromhead A, Adams R and Casey C, 'Ireland's Economy since Independence: What Lessons from the Past 100 Years?' (*Economics Observatory*30 April 2021) <https://www.economicsobservatory.com/irelands-economy-since-independence-what-lessons-from-the-past-100-years> accessed 17 February 2025
- De Bromhead A and Lyons RC, 'Rooted to the Soil: The Impact of Social Housing on Population in Ireland since 1911' (QUB 2021) <https://www.econstor.eu/bitstream/10419/246791/1/1778248268.pdf> accessed 24 February 2025
- de Moleyns T, The Landowner's and Agent's Practical Guide (5th edn., Ponsonby 1872)
- 'Deaton v. the Attorney General and the Revenue Commissioners'
- DeBromhead A and Lyons R, 'Rooted to the Soil: The Impact of Social Housing on Population in Ireland since 1911' (*Queen's University Belfast*2021) <https://www.quceh.org.uk/uploads/1/0/5/5/10558478/wp21-08.pdf>
- Delaney E, *Demography, State and Society : Irish Migration to Britain, 1921-1971* (Liverpool University Press 2000) <https://archive.org/details/demographystates0000dela/page/52/

mode/2up?q=%22Agricultural+Wages+Act+1936%22> accessed 17 February 2025

- Dillon J, *DD Sheehan, BL, MP: His Life and Times* (Foilsiúcháin Éireann Nua 2013) <https://archive.org/details/ddsheehanblmphis0000dill/page/26/mode/2up?q=%22Labourers+%28Ireland%29+Act+1906%22> accessed 6 February 2025
- 'Diseases of Animals (Ireland) Act 1914' (Legislation.gov.uk) <https://www.legislation.gov.uk/ukpga/Geo5/4-5/40/enacted> accessed 2 April 2025
- 'Diseases of Animals Act 1932' (Irishstatutebook.ie) <https://www.irishstatutebook.ie/eli/1932/act/14/enacted/en/print> accessed 2 April 2025.
- Dobbs M, Hamill SE and Hickey R, 'Land Law and Land Use' (2023) 34 Irish Studies in International Affairs 149 <https://muse.jhu.edu/article/910323> accessed 26 February 2025
- 'Documents on Irish Foreign Policy - Volume 4' (*Documents on Irish Foreign Policy*12 February 2020) <https://www.difp.ie/volume-3/1932/export-duties/1456/#section-documentpage> accessed 13 February 2025
- Donaldson AG, Some Comparative Aspects of Irish Law (Commonwealth Studies - Duke University Press 1957) <https://archive.org/details/somecomparativea01dona/page/184/mode/2up?q=Agriculture> accessed 2 April 2025
- Dooley T, 'Land and Politics in Independent Ireland, 1923–48: The Case for Reappraisal' (2004) 34 Irish Historical Studies 175
- Doyle J, 'Harold Saunders Blackham' (Seamus Dubhghaill2 April 2025) <https://seamusdubhghaill.com/tag/george-william-russell/> accessed 11 June 2025
- Doyle P, '"Better, Farming, Better Business, Better Living": The Irish Co-Operative Movement and the Construction of the Irish Nation-State, 1894-1932' (University of Manchester2013) <https://pure.manchester.ac.uk/ws/portalfiles/portal/83388233/FULL_TEXT.PDF> accessed 6 April 2025

- Doyle P, 'A Dairy Democracy: The Co-Operative Movement and the Improvement of Pre-Independence Irish Dairying 1889–1922' <https://arrow.tudublin.ie/cgi/viewcontent.cgi?filename=17&article=1000&context=irishfoodhist&type=additional> accessed 11 June 2025
- Doyle P, *Civilising Rural Ireland - the Co-Operative Movement, Development and the Nation-State, 1889–1939* (Manchester University Press 2019) <https://archive.org/details/oapen-20.500.12657-24936/page/181/mode/2up?q=%22Dairy+Produce+Act%22> accessed 17 February 2025
- ——, 'A Co-Operative Commonwealth in the Free State?' [2019] Manchester University Press <https://www.manchesterhive.com/display/9781526124579/9781526124579.00012.xml> accessed 17 February 2025
- Durkan AM, 'How Dublin Got a Clean Milk Supply in the 1930s' [2023] RTE.ie <https://www.rte.ie/brainstorm/2023/0104/1344823-dublin-milk-supply-1930s-history-clean-milk-society/> accessed 9 March 2025
- Edgeworth B, 'Rural Radicalism Restrained: The Irish Land Commission & the Courts, 1933-1939' (2007) 42 The Irish Jurist 1
- *Encyclopaedia Britannica* (1926) <https://archive.org/details/encyclopaedia-britannica-volume-3_202501/Encyclopaedia%20Britannica%2C%20Volume%202/page/538/mode/2up?q=%22Land+Law+%28Commission%29+Act+1923%22> accessed 7 February 2025
- 'Euro Becomes Third Currency in Border Town' (*Irish Examiner*2002) <https://www.irishexaminer.com/news/arid-30035026.html> accessed 2 March 2025
- *European Product Liability* (Butterworths 1992) <https://archive.org/details/europeanproductl0000unse/page/198/mode/2up?q=%22Slaughter+of+Cattle+and+Sheep+Act+1934%22> accessed 25 February 2025
- 'Ex-Milk Board Employees Paid €1.8m for Doing Nothing' (*Irish Examiner*30 March 2006) <https://

www.irishexaminer.com/news/arid-30251772.html> accessed 9 March 2025

- Falconer JI, 'Land Reform in Ireland' (1924) 6 Journal of Farm Economics 344
- Fanning R, *The Irish Department of Finance, 1922-58* (Institute of Public Administration 1978) <https://archive.org/details/irishdepartmento0000fann/page/264/mode/2up?q=%22Slaughter+of+Cattle+and+Sheep+Act+1934%22> accessed 25 February 2025
- Farry M, *Concise Contract Law* (Blackhall Publications 2006) <https://archive.org/details/concisecontractl0000farr/page/166/mode/2up?q=%22Agricultural+Wages+Act+1936%22> accessed 17 February 2025
- Fathartaigh MÓ and Farrell M, '"We Have Gone through Quite Sufficient in This Distracted Country": The Royal Dublin Society and the New Irish State 1922–32' (2024) 39 Irish Political Studies 229
- Ferriter D, *Judging Dev: A Reassessment of the Life and Legacy of Eamon de Valera* (Royal Irish Academy 2007) <https://archive.org/details/judgingdevreasse0000ferr/page/280/mode/2up?q=%22Labourers+Act+1936%22> accessed 24 February 2025
- 'Feudal Layers of Ownership – Irish Legal Blog' (*Legalblog.ie*) <https://legalblog.ie/the-feudal-system-tenure/> accessed 27 February 2025
- Finn T and Varley T (eds), Inside Rural Ireland: Power and Change since Independence (UCD Press 2024)
- Fitzsimons F, 'Kindred Lines: Artisans' & Labourers' Cottages' (*History Ireland*2023) <https://historyireland.com/kindred-lines-artisans-and-labourers-cottages/> accessed 8 February 2025
- Flannery M, *Sanitation, Conservation, and Recreation Services in Ireland* (Institute of Public Administration 1976) <https://archive.org/details/sanitationconser0000flan/page/20/mode/2up?q=%22Labourers+Act+1936%22> accessed 24 February 2025
- Foley-Fisher N and McLaughlin E, 'State Dissolution, Sovereign Debt & Default: Lessons from the UK &

Ireland' (*QUB*2014) <https://www.quceh.org.uk/uploads/1/0/5/5/10558478/wp14-06.pdf>

- Forsythe W and McGee B, 'Background to Landed Estates' (*www.askaboutireland.ie*) <https://www.askaboutireland.ie/reading-room/history-heritage/big-houses-of-ireland/welcome-to-the-cork-archi/background-to-landed-esta/>
- Foster J, '"*The Interpreters*": *A Handbook to AE and the Irish Revival*' (1980) <https://core.ac.uk/download/pdf/236117238.pdf> accessed 11 June 2025
- Fraser M, 'John Bull's Other Homes: State Housing and British Policy in Ireland, 1883-1922' (*University College London*1993) <https://discovery.ucl.ac.uk/id/eprint/10101065/1/10055353.pdf> accessed 24 February 2025
- Gageby P, 'William John Johnston' (*Dictionary of Irish Biography*2009) <https://www.dib.ie/biography/johnston-william-john-a9811> accessed 6 February 2025
- Gahan D, 'The Land Annuities Agitation in Ireland 1926-1932' (NUI Maynooth 2017) <https://mural.maynoothuniversity.ie/id/eprint/12109/1/David%20Gahan-PhD-2017.pdf> accessed 11 February 2025
- Gallagher F, 'Re-Housing the Urban Poor in Irish Country Towns' (*NUI Maynooth* 2016) <https://mural.maynoothuniversity.ie/id/eprint/10421/1/F%20Gallagher%20Thesis%202016%20Rehousing%20the%20Urban%20Poor%20in%20Irish%20Country%20Towns%201880-1947%20A%20case%20study%20of%20Sligo%20Merged%20file.pdf> accessed 24 February 2025
- 'Gambling Regulation Bill - Regulatory Impact Analysis' (drugsandalcohol.ie 2021) <https://www.drugsandalcohol.ie/41716/> accessed 25 February 2025
- Geiger T and Kennedy M (eds), *Ireland, Europe and the Marshall Plan* (Four Courts Press 2004) <https://archive.org/details/irelandeuropemar0000unse/page/32/mode/2up?q=%22Muintir+na+Tire%22+corporatist> accessed 9 March 2025
- 'George Wyndham | Conservative, Irish Landlord & MP' (*Encyclopedia Britannica*20 July 1998) <https://

www.britannica.com/biography/George-Wyndham#ref181902> accessed 6 February 2025

- Gibson N and Spencer J (eds), *Economic Activity in Ireland: A Study of Two Open Economies* (Gill & Macmillan 1977) <https://archive.org/details/economicactivity0000unse_l1p7/page/n1/mode/2up?q=%22Central+Bank+Act+1942%22> accessed 2 March 2025
- Golden T, *Local Authority Accounting in Ireland* (Institute of Public Administration 1977) <https://archive.org/details/localauthorityac0000gold/page/260/mode/2up?q=%22Labourers+Act+1936%22> accessed 24 February 2025
- Golding G, *George Gavan Duffy, 1882-1951: A Legal Bibliography* (Irish Academic Press 1982) <https://archive.org/details/georgegavanduffy00gold/page/35/mode/2up?q=%22Land+Law+%28Commission%29+Act+1923%22> accessed 6 February 2025
- Guinnane T and Miller R, 'The Limits to Land Reform: The Land Acts in Ireland, 1870-1909' (*Yale University*1995) <http://www.econ.yale.edu/growth_pdf/cdp726.pdf>
- Hall D, *Agriculture in the 20th Century* (Oxford University Press 1939) <https://archive.org/details/in.ernet.dli.2015.228735/page/n255/mode/2up?q=Ireland> accessed 6 March 2025
- Hannan G, 'Clogs upon Redemption: An Analysis of the 1900 Case of John Brown v. the Farmer of Ryaninch, Co. Tipperary | Limerick Archives' (*Limerick Archives*20 May 2023) <https://limerickarchives.com/2023/05/20/auctioneers-action-dismissed-invalid-clause-in-mortgage-agreement-thwarts-recovery-of-commission/> accessed 9 March 2025
- Hanrahan K and Hennessy T, '100 Years of Markets, Prices and Income in Irish Agriculture' (*Farmersjournal.ie*2016) <https://www.farmersjournal.ie/life/features/100-years-of-markets-prices-and-income-in-irish-agriculture-208842> accessed 17 February 2025
- Hickey D and Doherty J, A New Dictionary of Irish History from 1800 (Gill & MacMillan 2003)
- Higgins M, 'On the 100th Anniversary of the Passing of the 1923 Land Act' (*president.ie*2023) <https://president.ie/en/

media-library/speeches/on-the-100th-anniversary-of-the-passing-of-the-1923-land-act-article-for-irish-independent-supplement-july-2023> accessed 10 February 2025

- Hooker E, *Readjustments of Agricultural Tenure in Ireland* (University of North Carolina Press 1938) <https://archive.org/details/readjustmentsofa0000unse/page/230/mode/2up?q=%22Land+Trust+Powers+Act+%2C+1923%22> accessed 8 February 2025
- Hourigan N, *Rule-Breakers: Why 'Being There' Trumps 'Being Fair' in Ireland* (Gill & MacMillan 2015) <https://archive.org/details/rulebreakerswhyb0000hour/page/48/mode/2up?q=%22Muintir+na+Tire%22+corporatist> accessed 9 March 2025
- 'Housing (Amendment) Act 1939' (*Oireachtas.ie*1939) <https://data.oireachtas.ie/ie/oireachtas/bill/1939/4/eng/ver_b/bills1938-39-1m-03.pdf> accessed 28 February 2025
- 'Housing Act 1928' (*Irishstatutebook.ie*1928) <https://www.irishstatutebook.ie/eli/1928/act/31/enacted/en/print.html> accessed 24 February 2025
- 'Housing and Labourers' Act 1937' (Oireachtas 1937) <https://data.oireachtas.ie/ie/oireachtas/bill/1937/44/eng/ver_a/bills1936-37-1rr-02.pdf> accessed 24 February 2025
- David Howell, 'The Land Question in Nineteenth-Century Wales, Ireland and Scotland: A Comparative Study' [2013] British Agricultural History Society <https://www.bahs.org.uk/AGHR/ARTICLES/61_1_5_howell.pdf> accessed 10 June 2025.
- 'Housing the People - Looking to the Future: The 1931 & 1932 Housing Acts' (*Royal Irish Academy*2023) <https://www.housingthepeople.ie/looking-to-the-future-the-1931-and-1932-housing-acts> accessed 24 February 2025
- 'Importation of Animals Act 1922' (*vLex*1922) <https://vlex.co.uk/vid/importation-of-animals-act-808452281> accessed 13 February 2025
- 'Importation of Irish Cattle - Hansard - UK Parliament' (*Parliament.uk*1923) <https://hansard.parliament.uk/Lords/1923-02-22/debates/

3b5e37c5-fec8-4052-8487-aca15a13f635/ImportationOfIrishCattle> accessed 13 February 2025

- Independent I, 'Biography on Sligo's Aston Villa Chairman of the 1950s' (*Irish Independent*8 May 2015) <https://www.independent.ie/regionals/sligo/news/biography-on-sligos-aston-villa-chairman-of-the-1950s/31193799.html> accessed 9 March 2025
- 'Ireland (Confirmation of Agreement) Act 1925' (*Legislation.gov.uk*1925) <https://www.legislation.gov.uk/ukpga/1925/77/enacted> accessed 13 February 2025
- Ireland T, *Ireland, Past and Present* (Putnam 1942) <https://archive.org/details/irelandpastprese0000tomi/page/666/mode/2up?q=%22Slaughter+of+Cattle+and+Sheep+Act+1934%22> accessed 25 February 2025
- 'Irish Free State (Agreement) Act' (1922) <https://web.archive.org/web/20120315094605/http://www.historicaldocuments.org.uk/documents/doc00005-000.html> accessed 13 February 2025
- 'Irish Free State (Special Duties) Act, 1932' (*Hansard*1933) <https://hansard.parliament.uk/Commons/1933-12-04/debates/892c273b-264c-4198-89c3-54d71ffb1496/IrishFreeState(SpecialDuties)Act1932> accessed 13 February 2025
- 'Irish Free State Land Act, 1931 - Hansard - UK Parliament' (*Parliament.uk*1935) <https://hansard.parliament.uk/Commons/1935-05-07/debates/b1007ed0-6405-4716-a115-34e967641b40/IrishFreeStateLandAct1931> accessed 11 February 2025
- Jennings, 'The Irish National Land League' (*University of Illinois*1915) <https://www.ideals.illinois.edu/items/52925/bitstreams/152387/object> accessed 5 February 2025
- Jordan D, 'Land Acts of 1870 and 1881' (*Encyclopedia.com*2019) <https://www.encyclopedia.com/international/encyclopedias-almanacs-transcripts-and-maps/land-acts-1870-and-1881>
- Kelleher C, *Macroom Union Workhouse, 1843-1921* (2019)

- Kennedy F, *Cottage to Crèche: Family Change in Ireland* (Institute of Public Administration 2001) <https://archive.org/details/cottagetocrechef0000kenn/page/208/mode/2up?q=%22Land+Law+%28Commission%29+Act+1923%22> accessed 6 February 2025
- Kercheval GT, 'Fair Play for the Indian' (1891) 152 The North American Review 250 <https://www.jstor.org/stable/25102138>
- Kerins S, 'Equine Summit' (2017) <https://www.grantthornton.ie/globalassets/1.-member-firms/ireland/insights/slides/grant-thornton---equine-summit.pdf> accessed 26 February 2025
- Kerr T, *The Trade Union and Industrial Relations Acts* (Roundhall 2001) <https://archive.org/details/tradeunionindust0000kerr_2ed/page/180/mode/2up?q=%22Agricultural+Wages+Act+1936%22> accessed 17 February 2025
- Andrew J Kettle, '*Chapter 11: William O'Brien and the "Plan of Campaign*"' (The Material for Victory: The Memoirs of Andrew J. Kettle 31 October 2023) <https://openpress.universityofgalway.ie/materialforvictory/chapter/chapter-11-william-obrien/> accessed 11 June 2025.
- Kinsella E, 'The Army Equitation School and the Nations Cup' (*Www.dib.ie*2024) <https://www.dib.ie/blog/army-equitation-school-and-nations-cup> accessed 26 February 2025
- Kirwan E, The Threshold of a Newer Movement (Orla Kelly Publishing 2021)
- Kolbert C, *Land Reform in Ireland: A Legal History of the Irish Land Problem and Its Settlement* (University of Cambridge Department of Land Economy 1975) <https://archive.org/details/landreforminire10000kolb/page/46/mode/2up?q=%22Land+Law+%28Commission%29+Act+1923%22> accessed 6 February 2025
- 'Labourers' Act 1936' (*Irishstatutebook.ie*1936) <https://www.irishstatutebook.ie/eli/1936/act/24/enacted/en/html> accessed 24 February 2025

- Laird H, 'What Are the Roots of the Irish Obsession with Property?' www.rte.ie (21 March 2019) <https://www.rte.ie/brainstorm/2019/0321/1037676-what-are-the-roots-of-the-irish-obsession-with-property/>
- Laird H, 'The Story of the First Dáil's "Illegal" Legal System' *RTE.ie* (24 July 2020) <https://www.rte.ie/brainstorm/2020/0724/1154958-dail-courts-ireland-war-of-independence-1918-general-election-land-cases/> accessed 13 February 2025
- ——, 'How Did Free State Government Deal with Rural Unrest over Land?' *RTE.ie* (14 December 2022) <https://www.rte.ie/brainstorm/2022/1214/1341771-how-did-free-state-government-deal-with-rural-unrest-over-land/> accessed 13 February 2025
- 'Land Act, 1939' (*Irishstatutebook.ie*1939) <https://www.irishstatutebook.ie/eli/1939/act/26/enacted/en/html> accessed 12 March 2025
- 'Land Acts' (*Oxford Reference*2009) <https://www.oxfordreference.com/display/10.1093/oi/authority.20110803100049696> accessed 6 February 2025
- 'Land Acts - Discover Lough Neagh' (*Discover Lough Neagh*2016) <https://discoverloughneagh.com/land-acts/> accessed 6 February 2025
- 'Land Bond Act 1925' (*Irishstatutebook.ie*1925) <https://www.irishstatutebook.ie/eli/1925/act/25/enacted/en/html> accessed 13 February 2025
- *Land Economics: Vol 8 Issue 3* (University of Wisconsin Press 1932) <https://archive.org/details/sim_land-economics_1932-08_8_3/page/280/mode/2up?q=%22Land+Law+%28Commission%29+Act+1923%22> accessed 7 February 2025
- 'LAND PURCHASE (IRELAND) BILL. (Hansard, 30 June 1890)' (*Parliament.uk*) <https://api.parliament.uk/historic-hansard/commons/1890/jun/30/land-purchase-ireland-bill> accessed 14 March 2025
- 'Land Purchase Post-1922' (*Legalblog.ie*) <https://legalblog.ie/land-acts-from-1933/> accessed 11 February 2025

- 'Land Trust Powers Act 1923 (No. 25 of 1923)' (*Irish State Administration Database*) <https://isad.ie/item.php?t=e&id=1330> accessed 8 February 2025
- Larkin E, *The Consolidation of the Roman Catholic Church in Ireland, 1860-1870* (Gill and Macmillan 1987) <https://archive.org/details/consolidationofr0000lark_n6r0/page/320/mode/2up?q=%22Landed+Property+%28Ireland%29+Improvement+Act%2C+1860%22> accessed 8 February 2025
- Larner J, *Fossa & Aghadoe: Our History and Heritage* (Fossa Historical Society 2007) <https://archive.org/details/fossaaghadoeourh0000larn/page/236/mode/2up?q=%22Labourers+%28Ireland%29+Act+1906%22> accessed 6 February 2025
- *Local Government in Ireland* (Institute of Public Administration 2003) <https://archive.org/details/localgovernmenti0000unse_16s0/page/170/mode/2up?q=%22Labourers+%28Ireland%29+Act+1906%22> accessed 6 February 2025
- MacAnnaidh S, *Irish History* (Parragon Plus 2002) <https://archive.org/details/isbn_9780752578767/page/284/mode/2up?q=%22Wyndham+Land+Act%22> accessed 5 February 2025
- MacDonagh M, *The Home Rule Movement* (Talbot Press 1920) <https://archive.org/details/cu31924028148413/page/n291/mode/2up?q=%22Labourers+%28Ireland%29+Act+1906%22> accessed 6 February 2025
- Maltby A, 'Irish Official Publications: A Guide to Republic of Ireland Papers, with a Breviate of Reports, 1922-1972' (*Pergamon Press*1980) <https://archive.org/details/irishofficialpub0000malt/page/80/mode/2up?q=%22Pigs+and+Bacon+Act+1935%22> accessed 24 February 2025
- Marnane D, 'A Forgotten Revolution: The 1883 Labourers' Act in County Tipperary - Part Two' (*Tipperary Studies*) <https://tipperarystudies.ie/wp-content/uploads/2024/09/THJ-2008-A-Forgotten-Revolution_-the-1883-Labourers-Act-in-County-Tipperary-Part-Two.pdf>

- McCarthy K, 'History Trail, Lee Fields | Cork Heritage' (*Corkheritage.ie*2016) <http://corkheritage.ie/?page_id=5957> accessed 2 March 2025
- McCarthy T, 'Land History Series: The Irish Land Commission' (*Irish Farmers Journal*2023) <https://www.farmersjournal.ie/life/features/venerated-and-vilified-the-irish-land-commission-1881-1999-775172>
- McCullagh D, 'Book of the Day: Land Is All That Matters by Myles Dungan' *RTE.ie* (20 June 2024) <https://www.rte.ie/culture/2024/0620/1455154-book-of-the-week-land-is-all-that-matters-by-myles-dungan/> accessed 14 February 2025
- McDowell R, 'Administration and the Public Services, 1870–1921', *A New History of Ireland, Volume VIIreland Under the Union, II: 1870-1921* (Oxford Academic 2010) <https://www.researchgate.net/publication/293815525_Administration_and_The_Public_Services_1870-1921> accessed 8 February 2025
- McGreevy R, 'Myles Dungan: "Rural Ireland Was Riddled with Class Distinctions"' (*The Irish Times*29 June 2024) <https://www.irishtimes.com/culture/books/2024/06/29/myles-dungan-rural-ireland-was-riddled-with-class-distinctions/> accessed 14 February 2025
- McLaughlin E, 'Financing Ireland's Social Revolution through Land Bonds' (*Irish Independent*8 August 2023) <https://www.independent.ie/farming/dairy/financing-irelands-social-revolution-through-land-bonds/a7458836.html> accessed 13 February 2025
- McManus R, 'Blue Collars, "Red Forts," and Green Fields: Working-Class Housing in Ireland in the Twentieth Century' [2003] International Labor and Working-Class History 38 <https://www.jstor.org/stable/27672882> accessed 24 February 2025
- ——, 'Tackling the Urban Housing Problem in the Irish Free State, 1922–1940' (2018) 46 Urban History 62
- 'Melling v. Ó Mathghamhna and the Attorney General'
- Miller I, 'How Ireland Suffered from a Cost of Living Crisis 100 Years Ago' (*www.rte.ie*14 July 2022) <https://www.rte.ie/

brainstorm/2022/0714/1308735-ireland-cost-of-living-crisis-1920s-1930s/> accessed 17 February 2025

- 'Monthly Bulletin - Agriculture Economics and Sociology Vol-Xxix' (*International Institute of Agriculture*1938) <https://archive.org/details/in.ernet.dli.2015.29806/page/n99/mode/2up?q=%22Pigs+and+Bacon+Act+1935%22> accessed 24 February 2025
- Morrison E, Kilmichael: The Life & Afterlife of an Ambush (Irish Academic Press 2022)
- Morrow S, *Farming in County Fermanagh: Development in the Twentieth Century* (2010) <https://archive.org/details/farmingincountyf0000morr/page/24/mode/2up?q=1917> accessed 2 March 2025
- Mulhall D and Biagini E (eds), *The Shaping of Modern Ireland: A Centenary Assessment* (Irish Academic Press 2016) <https://archive.org/details/shapingofmoderni0000unse_t8n9/page/172/mode/2up?q=%22Wyndham+Land+Act%22> accessed 5 February 2025
- Murphy W, 'Patrick J. Hogan' (*Www.dib.ie*2009) <https://www.dib.ie/biography/hogan-patrick-j-paddy-a4057> accessed 14 February 2025
- Murray A, History of the Commercial and Financial Relations between England and Ireland from the Period of the Restoration (1903) <https://celt.ucc.ie/published/E900040/text017.html> accessed 26 February 2025
- Murray T, *Contesting Economic and Social Rights in Ireland: Constitution, State, and Society, 1848-2016* (Cambridge University Press 2016) <https://archive.org/details/contestingeconom0000murr/page/64/mode/2up?q=%22Deasy%27s+Act%22> accessed 5 February 2025
- Neary JP and Gráda CÓ, 'Protection, Economic War and Structural Change: The 1930s in Ireland' (1991) 27 Irish Historical Studies 250
- Newman PR, *Companion to Irish History, 1603-1921* (Facts on File, Oxford 1991) <https://archive.org/details/companiontoirish0000newm/page/46/mode/2up?q=%22Deasy%27s+Act%22> accessed 5 February 2025

- Nolan J, '*The Awakening of the Fires: A Survey of George Russell-AE's Mystical Writings*' [2001] ABEI Journal <https://revistas.usp.br/abei/article/download/207406/190719/603260> accessed 11 June 2025
- Norris M, 'Financing the Golden Age of Irish Social Housing, 1932-1956 (and the Dark Ages Which Followed)' (UCD 2018) <https://www.ucd.ie/geary/static/publications/workingpapers/gearywp201901.pdf> accessed 24 February 2025
- O'Donnell J, *A Border Co-Op: The Town of Monaghan Centenary, 1901-2001* (Town of Monaghan Co-op 2001) <https://archive.org/details/bordercooptownof0000odon/page/274/mode/2up?q=%22Dairy+Produce+%28Price+Stabilisation%29+Act%2C+1935%22> accessed 17 February 2025
- O'Halpin E, 'Augustine Birrell' (*Www.dib.ie*2009) <https://www.dib.ie/biography/birrell-augustine-a0679> accessed 13 February 2025
- O'Malley-Younger A and Strachan J (eds), *Ireland at War and Peace* (Cambridge Scholars 2011) <https://archive.org/details/isbn_9781443826334/page/96/mode/2up?q=%22Irish+Free+State%22+%22equine%22> accessed 2 March 2025
- O'Neill B, *The War for the Land in Ireland* (International Publishers, New York 1933) accessed 9 June 2025
- O'Reilly J, *Cases and Materials on the Irish Constitution* (Incorporated Law Society of Ireland 1980) <https://archive.org/details/casesmaterialson0000orei/page/340/mode/2up?q=%22Dairy+Produce+%28Price+Stabilisation%29+Act%2C+1935%22&view=theater> accessed 17 February 2025
- O'Sullivan N, 'Odds On: A Short History of Bookmaking in Ireland' [2018] www.rte.ie <https://www.rte.ie/brainstorm/2018/0312/946748-odds-on-a-short-history-of-bookmaking-in-ireland/>
- 'One More Cow, One More Sow, One More Acre under the Plough | Irish Country Life History' (*Countrylifehistory.ie*5 October 2014) <http://countrylifehistory.ie/index.php/

2014/10/one-more-cow-one-more-sow-one-more-acre-under-the-plough/> accessed 14 February 2025

- 'Outline of the Development of the Irish Housing System', *Housing Law, Rights and Policy* (Clarus Press 2011) <https://www.universityofgalway.ie/media/housinglawrightsandpolicy/Chapter-2-Outline-of-the-Development-of-the-Irish-Housing-System-Housing-Law,-Rights-and-Policy.pdf> accessed 24 February 2025
- 'Parliament of Southern Ireland Meets for First (and Only) Time in Dublin' - Creative Centenaries (2021)
- Parnell C, 'Mr Balfour's Land Bill' (1890) 150 The North American Review 665 <https://www.jstor.org/stable/pdf/25101998.pdf?refreqid=fastly-default%3A7ef195b3b7f5fb077edf9b2e3be181c2&ab_segments=&initiator=&acceptTC=1> accessed 6 February 2025
- 'Passing of the National Land Bank' *An Phoblacht* (23 July 1926)
- Patterson H, *Ireland since 1939: The Persistence of Conflict* (Penguin 2006) <https://archive.org/details/irelandsince19390000patt/page/n1/mode/2up?q=compulsory+tillage> accessed 6 March 2025
- 'Pigs and Bacon Act 1935' (*Irishstatutebook.ie*1935) <https://www.irishstatutebook.ie/eli/1935/act/24/enacted/en/html> accessed 24 February 2025
- 'Pigs Marketing Board' (*Irish State Administration Database*2 September 1935) <https://isad.ie/item.php?id=621&t=u> accessed 24 February 2025
- Pole A, 'Frederick Ponsonby' (*Www.dib.ie*2009) <https://www.dib.ie/biography/ponsonby-frederick-george-brabazon-a7412> accessed 14 March 2025
- Potter M, *The Municipal Revolution in Ireland: A Handbook of Urban Government in Ireland since 1800* (Irish Academic Press 2011) <https://archive.org/details/municipalrevolut0000pott/page/208/mode/2up?q=%22Wyndham+Land+Act%22> accessed 5 February 2025
- *Public Administration in Ireland Vol II* (Parkside Press 1949) <https://archive.org/details/publicadministra032214mbp/page/n127/mode/2up?q=%22Land+Law+

%28Commission%29+Act+1923%22> accessed 6 February 2025

- 'Public Works (Ireland) Act 1831' (*Irishstatutebook.ie*1831) <https://www.irishstatutebook.ie/eli/1831/act/33/enacted/en/print.html> accessed 13 February 2025
- Quill-Manley T, Credit Where It's Due: The Money Debate in 1930s Ireland (2022)
- Quill-Manley T, 'The Origins of Lee Valley's Point-To-Points' [2022] *Lee Valley Outlook*
- Quill-Manley T, 'How Doneraile Created Ireland's First Credit Union' (*The Avondhu*2024)
- Quill-Manley T, 'The Co-Operative Creameries of Mid-Cork' [2024] *Lee Valley Outlook*
- Quill-Manley T, *Til the Cows Come Home: A History of the Cork Farmers Union* (2024)
- Quill-Manley T, *Building a New City: Cork's Public Works, 1920-1945* (2025)
- Quill-Manley T, *Homes by the Lee: Housing a Free State City, 1922-1942* (2025)
- Quinn A, *Credit Unions in Ireland* (Oak Tree Press 1994) <https://archive.org/details/creditunionsinir0000quin/page/36/mode/2up?q=%22industrial+and+provident+societies+Act+1893%22> accessed 12 February 2025
- Quinn J, 'Arthur Balfour' (*Dictionary of Irish Biography*2009) <https://www.dib.ie/biography/balfour-arthur-james-a0336> accessed 6 February 2025
- ——, 'Edward Cardwell' (*Www.dib.ie*2009) <https://www.dib.ie/biography/cardwell-edward-a1463> accessed 14 February 2025
- 'Rates on Agricultural Land (Relief) Act, 1939' (*Irishstatutebook.ie*1939) <https://www.irishstatutebook.ie/eli/1939/act/23/enacted/en/html> accessed 12 March 2025
- 'Report of the City Medical Officer for the Year 1952' (*Cork Corporation*1953) <https://archive.org/details/b28819160/page/94/mode/2up?

q=%22Housing+and+Labourers+Act+1937%22> accessed 24 February 2025

- 'Report of the City Medical Officer for the Year 1953' (*Cork Corporation*1954) <https://archive.org/details/b28819172/page/92/mode/2up?q=%22Housing+and+Labourers+Act+1937%22> accessed 24 February 2025
- 'Report of the City Medical Officer for the Year 1954' (*Cork Corporation*1955) <https://archive.org/details/b28819184/page/102/mode/2up?q=%22Housing+and+Labourers+Act+1937%22> accessed 24 February 2025
- 'Report of the State of Public Health in the City of Dublin for the Year 1935' (*Dublin Corporation*1936) <https://archive.org/details/b28818775/page/136/mode/2up?q=%22Agricultural+Produce+%28Fresh+Meat%29+Acts%22> accessed 18 February 2025
- *Report of the State of Public Health in the City of Dublin for the Year 1937* (Dublin Corporation 1938) <https://archive.org/details/b28818799/page/158/mode/2up?q=%22Pigs+and+Bacon+Act+1935%22> accessed 17 February 2025
- 'Revised Acts' (*Lawreform.ie*2015) <https://revisedacts.lawreform.ie/eli/2011/act/27/section/50/revised/en/html> accessed 12 February 2025
- Roche D, 'Local Government in Ireland' (*Institute of Public Administration*1982) <https://archive.org/details/localgovernmenti0000roch/page/226/mode/2up?q=%22Labourers+Act+1936%22> accessed 24 February 2025
- RTÉ Culture, 'Myles Dungan on the Struggle That Shaped Irish History' *RTE.ie* (25 May 2024) <https://www.rte.ie/culture/2024/0525/1449526-myles-dungan-on-the-struggle-that-shaped-irish-history/> accessed 14 February 2025
- Rushton J, The Economics of Animal Health and Production (CABI 2009) <https://books.google.ie/books?id=iCyABkjkRJ0C&pg=PA231&redir_esc=y#v=onepage&q&f=false> accessed 2 April 2025

- 'Seanad Éireann Debate - Friday, 28 Jul 1933' (*Oireachtas.ie*1933) <https://www.oireachtas.ie/en/debates/debate/seanad/1933-07-28/5/> accessed 17 February 2025
- 'Seanad Éireann Debate - Thursday, 3 Jul 1930' (*Oireachtas.ie*1930) <https://www.oireachtas.ie/en/debates/debate/seanad/1930-07-03/23/> accessed 24 February 2025
- 'Seanad Éireann Debate - Thursday, 20 Jul 1939' (*Oireachtas.ie*1939) <https://www.oireachtas.ie/en/debates/debate/seanad/1939-07-20/8/> accessed 12 March 2025
- 'Seanad Éireann Debate - Thursday, 22 Mar 1934' (*Oireachtas.ie*1934) <https://www.oireachtas.ie/en/debates/debate/seanad/1934-03-22/6/> accessed 13 February 2025
- 'Seanad Éireann Debate - Wednesday, 8 Mar 1939' (*Oireachtas.ie*1939) <https://www.oireachtas.ie/en/debates/debate/seanad/1939-03-08/9/> accessed 28 February 2025
- 'Seanad Éireann Debate - Wednesday, 26 Jul 1939' (*Oireachtas.ie*2025) <https://www.oireachtas.ie/en/debates/debate/seanad/1939-07-26/2/> accessed 12 March 2025
- 'Section 48 - Local Government (Ireland) Act, 1898' (*Irishstatutebook.ie*1898) <https://www.irishstatutebook.ie/eli/1898/act/37/section/48/enacted/en/html> accessed 12 March 2025
- 'Shannon Hydroelectric Scheme' (*Asce.org*) <https://www.asce.org/about-civil-engineering/history-and-heritage/historic-landmarks/shannon-hydroelectric-scheme> accessed 2 March 2025
- Sheppard B, '90 Years of Muintir Na Tíre - Queen's Policy Engagement' (*Queen's Policy Engagement*7 May 2021) <https://qpol.qub.ac.uk/90-years-of-muintir-na-tire/> accessed 9 March 2025

- 'Slaughter of Cattle and Sheep Act 1934' (*Irishstatutebook.ie*1934) <https://www.irishstatutebook.ie/eli/1934/act/42> accessed 25 February 2025
- Smith G, *Irish History and the Irish Question* (McClure, Phillips & Co 1905) <https://archive.org/details/irishhistoryand02mccagoog/page/n246/mode/2up?q=%22Deasy%27s+Act%22> accessed 5 February 2025
- Smith L, *The Evolution of Agricultural Co-Operation* (Blackwell 1961) <https://archive.org/details/evolutionofagric0000loui/page/22/mode/2up?q=Ireland> accessed 6 March 2025
- Smith-Gordon L and O'Brien C, *Co-Operation in Ireland* (The Co-operative Union 1903) <https://archive.org/details/cu31924013850973/mode/2up?q=%22Wyndham+Land+Act%22+1903> accessed 5 February 2025
- 'Societies and Institutions' [1920] The Builder's Journal and Architectural Engineer <https://archive.org/details/buildersjournala5119unse/page/n35/mode/2up?q=%22Labourers+%28Ireland%29+Act+1906%22> accessed 6 February 2025
- *Statesman's Yearbook* (MacMillan & Co 1913) <https://archive.org/details/statesmansyearbo1913newy/page/64/mode/2up?q=%22Labourers+%28Ireland%29+Act+1906%22> accessed 6 February 2025
- Stedall R, The Roots of Ireland's Troubles (Pen & Sword History 2019)
- Steele ED, *Irish Land and British Politics: Tenant-Right and Nationality 1865-1870* (Cambridge University Press 1974) <https://archive.org/details/irishlandbritish0000stee_t9g9/page/68/mode/2up?q=%22Deasy%27s+Act%22> accessed 5 February 2025
- Stout R, *Administrative Law in Ireland* (Institute of Public Administration 1985) <https://archive.org/details/administrativela0000stou/page/374/mode/2up> accessed 8 February 2025
- *The Aftermath of Revolution: Sligo, 1921-23* (UCD Press 2000) <https://archive.org/details/aftermathofrevol0000farr/page/

148/mode/2up?q=%22Martin+Roddy%22+agriculture> accessed 9 March 2025

- *The Board of Trade Journal* (Her Majesty's Stationary Office 1933) <https://archive.org/details/sim_great-britain-board-of-trade-board-of-trade-journal_1933-06-01_130_1904/page/868/mode/2up?q=%22Agricultural+Produce+%28Fresh+Meat%29+Acts%22> accessed 18 February 2025
- 'The Foundation of the Old Cork Milk Board' (*That's Farming*2023)
- 'THE IRISH LAND BILL. (Hansard, 1 December 1890)' (*Parliament.uk*) <https://api.parliament.uk/historic-hansard/commons/1890/dec/01/the-irish-land-bill> accessed 14 March 2025
- *The Journal of the Ministry of Agriculture* (His Majesty's Stationery Office, London 1933) <https://archive.org/details/dli.ernet.229367/page/n1053/mode/2up?q=%22Agricultural+Products+%28Regulation+of+Export%29+Act%2C+1933%22> accessed 17 February 2025
- 'The Story of Electricity in Ireland' (*Energy Institute*) <https://irelandenergy2050.ie/past/electricity/>
- 'The Undeserted Village Ireland Irish Drama in Theory and Practice' (*Evergreen.edu*2016) <http://blogs.evergreen.edu/irishdrama/resources/the-undeserted-village-ireland/> accessed 24 February 2025
- 'The Veterinary Record 1934-11-03: Vol 46 Iss 44' (*BMJ Publishing Group*3 November 1934) <https://archive.org/details/sim_veterinary-record_1934-11-03_46_44/page/1324/mode/2up?q=%22Slaughter+of+Cattle+and+Sheep+Act+1934%22> accessed 25 February 2025
- 'Tobacco Act 1934' (*Irishstatutebook.ie*1934) <https://www.irishstatutebook.ie/eli/1934/act/37/enacted/en/html> accessed 17 February 2025
- *Tobacco: An Illustrated Weekly Journal for the Wholesale and Retail Dealers in Cigars, Manufactured Tobacco and Smoker's Articles* (Lockwood Trade Journal & Co 1935) <https://archive.org/details/tobaccoillustrat1006unse/page/n319/mode/2up?

q=%22Tobacco+Act+1934%22&view=theater> accessed 17 February 2025

- Tompson RS, *Islands of Law: A Legal History of the British Isles* (Peter Lang Publishing 2000) <https://archive.org/details/islandsoflawlega0000tomp/page/30/mode/2up?q=perpetuities> accessed 3 March 2025
- 'Treaty (Confirmation of Amending Agreement) Act, 1925' (*Irishstatutebook.ie*1925) <https://www.irishstatutebook.ie/eli/1925/act/40/schedule/enacted/en/html> accessed 13 February 2025
- Varley T, 'A New Land War? Land, Class Politics and State-Building 1922-23' *RTE.ie* (2 November 2022) <https://www.rte.ie/history/irish-free-state/2022/1102/1332745-a-new-land-war-land-class-politics-and-state-building-1922-23/> accessed 10 February 2025
- Varley T, Boylan T and Cuddy M (eds), *Rural Crisis: Perspectives on Irish Rural Development* (Centre for Development Studies, University College Galway 1991) <https://archive.org/details/ruralcrisispersp0000unse/page/50/mode/2up?q=%22Macra+na+Feirme%22+corporatist+Catholic> accessed 9 March 2025
- Varley T and Ó'Cearbhaill D, 'Empowering Communities through Community Action in Rural Ireland: The Case of Muintir Na Tíre' [2018] Routledge eBooks 171
- 'Veterinary Surgeons (Irish Free State Agreement) Act 1932' (*vLex*1932) <https://vlex.co.uk/vid/veterinary-surgeons-irish-free-861196912> accessed 13 February 2025
- 'Veterinary Surgeons Act , 1931' (*Oireachtas.ie*17 July 1930) <https://www.oireachtas.ie/en/bills/bill/1930/24/> accessed 13 February 2025
- 'Veterinary Surgeons Act, 1931' (*Irishstatutebook.ie*1931) <https://www.irishstatutebook.ie/eli/1931/act/36/enacted/en/print.html> accessed 13 February 2025
- Warnock C, 'Ireland's Land Acts and the Decline of the "Big House"' *BBC* (18 June 2023) <https://www.bbc.com/news/uk-northern-ireland-65684388> accessed 10 February 2025
- West T, *Horace Plunkett: Co-Operation and Politics - an Irish Biography* (Catholic University of America Press 1986)

<https://archive.org/details/horaceplunkettco00west/page/n1/mode/2up?q=%22Horace+Plunkett%22> accessed 25 February 2025

- 'Sir Horace Plunkett' (*Www.dib.ie*2009) <https://www.dib.ie/biography/plunkett-sir-horace-curzon-a7385> accessed 25 February 2025
- Whyte JH, The Tenant League and Irish Politics in the Eighteen Fifties (Dundaglan Press 1966)
- Wills C, *That Neutral Island: A Cultural History of Ireland during the Second World War* (Belknap Press, of Harvard University Press 2007) <https://archive.org/details/thatneutralislan0000will/page/298/mode/2up?q=%22farm%22> accessed 6 March 2025
- *Working Life in Fingal 1936-1959: Recollections from North County Dublin* (Fingal Heritage Group 1994) <https://archive.org/details/workinglifeinfin0000fing/page/22/mode/2up?q=Compulsory+Tillage> accessed 6 March 2025

PRE-INTERNET NEWSPAPER REPORTS CITED:

- *Freemans' Journal* (28 June 1921)
- *Irish Independent* (28 June 1921)
- *Irish Independent* (28 March 1923)
- *Irish Independent* (3 August 1940)
- *Irish Times* (21 October 1937)
- *Irish Times* (2 December 1937)
- *Meath Chronicle* (17 August 1940)
- *Nenagh Guardian* (8 September 1934)
- *Skibbereen Eagle* (15 January 1921)
- *Skibbereen Eagle* (1 October 1921)
- *The Liberator* (8 December 1936)
- *Tuam Herald* (13 June 1922)

MAIN CASES CITED:

- *Adams v. Dunseath [1882] (Irish Law Reports, vol. for 1882)*
- *Browne v. Ryan [1901] 2 IR 653*
- *McEllistrim v Ballymacelligott [1917] 1 IR 93*
- *Pigs Marketing Board v. Donnelly [1939] IR 413*
- *Creagh v. Sheedy [1955–1956] Ir. Jur. Rep. 86*
- *Meade v. Attorney-General and Cork County Council [1974] 7 JIC 3103*
- *Melling v. Ó Mathghamhna and the Attorney General [1962] IR 1*
- *Deaton v. The Attorney General and the Revenue Commissioners [1963] IR 170*
- *Mogul of Ireland Ltd v Tipperary (North Riding) County Council [1976] IR 260*